



Scott County
Planning Advisory Commission
May 11, 2020
6:30PM

The Scott County Planning Advisory Commission meeting for May 11, 2020, pursuant to Minnesota Statue 13D.021, will be conducted in a video conference format and live streamed for public viewing. A local state of emergency has been declared due to the ongoing health pandemic. The regular meeting location, the Scott County Board Room, is closed to the public.

The meeting will be webcast live on YouTube. A link to the Scott County YouTube video can be found on the official county website home page located at: www.scottcountymn.gov.

Scott County Government Center
County Board Room
200 Fourth Avenue West
Shakopee, MN



Scott County
May 11, 2020
Planning Advisory Commission Meeting

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**SCOTT COUNTY
PLANNING ADVISORY COMMISSION
AGENDA**

**Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota**

Monday, May 11, 2020

County Board Room, teleconference & YouTube Live Webcast for Public Viewing at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

II. APPROVAL OF MARCH 9, 2020 MINUTES

III. CONSENT AGENDA

(All items listed are considered by the Planning Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Planning Commission Board member or public member so requests, in which event the item will be removed from the Consent Agenda to be considered separately.)

3.1 PUBLIC HEARING 6:30 PM – DEM CON PROPERTIES (PL#2020-010)

- A. Request for Conditional Use Permit Amendment for Office, Contractor Yard and Recycling Center

Location: Section 21
Township: Louisville
Current Zoning: I-1

3.2 PUBLIC HEARING 6:30 PM – PAHL FAMILY TRUST (PL#2020-011)

- A. Request for Rezoning of 39.04 Acres from Urban Expansion Reserve District (UER) to Urban Expansion Reserve Cluster District (UER-C)

Location: Section 16
Township: Sand Creek
Current Zoning: UER

IV. PUBLIC HEARING – 6:30 PM – KABES FARM (PL#2019-092)

- A. Request for Preliminary & Final Plat of Kabes Farm Consisting of 10 Lots on 101.05 Acres

Location: Section 29
Township: Cedar Lake
Current Zoning: RR-1

V. PUBLIC HEARING – 6:40 PM – SHIMOTA ACRES (PL#2020-006)

- A. Request for Rezoning of 121.83 Acres From Urban Expansion Reserve District (UER) to Urban Transition Reserve Cluster District (UTR-C)
- B. Request for Preliminary & Final Plat of Shimota Acres Consisting of 11 Lots and 2 Outlots on 121.83 Acres.

Location: Section 25
Township: Cedar Lake
Current Zoning: UER

VI. PLANNING MANAGER UPDATE

VII. GENERAL & ADJOURN



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota

Monday, March 9, 2020
County Board Room at 6:54 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:54 PM with the following members present: Gary Hartmann, Ray Huber, Ed Hrabe, Lee Watson, Barbara Johnson and Tom Vonhof. Donna Hentges was absent with notice.

County Staff Present: Brad Davis, Planning Manager; Marty Schmitz, Zoning Administrator; Greg Wagner, Senior Planner; Nathan Hall, Associate Planner, Deb Brazil, Administration; Tom Wolf, County Board Commissioner; and Barb Simonson, Deputy Clerk to the Board.

II. APPROVAL OF JANUARY 13, 2020 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Hrabe; second by Commissioner Johnson to approve the minutes of January 13, 2020 Planning Advisory meeting. The motion carried unanimously.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:55 PM: MIK'S ACRES (PL#2020-005)

- A. Request for Preliminary and Final Plat of Mik's Acres 2nd Addition consisting of 1 lot on 11.74 acres.

Location: Section 33
Township: Cedar Lake
Current Zoning: RR-1

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat meets all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – The proposed lot has frontage and proposed driveway access on Vergus Avenue, a gravel town road.
4. *Adequate Waste Disposal Systems* – the proposed lot meets all requirements of the individual sewage treatment system ordinance.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Rural Residential Reserve Area.

6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lot will utilize the existing Township road for access.
7. *Consistency with the Minnesota Environmental Quality Board's Policies- the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.*
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore, it is consistent with the County's capital improvement plan.

And noting that Cedar Lake Township recommended approval of this request at their November monthly meeting.

3.2 PUBLIC HEARING 6:55 PM: HIRMAN ADDITION (PL#2020-003)

- A. Request for Preliminary and Final Plat of Hirman Addition consisting of 2 lots on 30 acres.

Location:	Section 22
Township:	Cedar Lake
Current Zoning:	RR-1

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat meets all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – the proposed lots have frontage and driveway access to 260th Street E. and Panama Avenue, paved County Roads.
4. *Adequate Waste Disposal Systems* – the proposed lots will meet all requirements of the individual sewage treatment system ordinance prior to County Board approval.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Rural Residential Reserve Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as it is adding one additional lot.
7. *Consistency with the Minnesota Environmental Quality Board's Policies- the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.*
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore, it is consistent with the County's capital improvement plan.

Motion by Commission Johnson; second by Commission Huber to approve the consent agenda. The motion carried unanimously.

IV. PUBLIC HEARING 6:56 PM FINAL GRADE (PL#2020-007)

1. Request for Conditional Use Permit Amendment to Expand Outside Storage and Recycle Concrete Material

Location: Section 4
Township: Sand Creek
Current Zoning: I-1

Marty Schmitz presented the staff report for this application. The specific details within the staff report and a video are available on the Scott County Website link: [March 9, 2020 Planning Advisory Commission Agenda Packet](#). (To view the staff report on the county website using the link, click on the download arrow and click on Agenda, then Save and then Open. Next open the bookmark at the top of the page and click on the Final Grade project name.)

Commissioner's Comments and Questions:

Commissioner Huber questioned what triggered the infiltration ponds on the property and what is the height of the berm located between the facility and the highway. What type of retaining wall will be built? *Mr. Schmitz reported the infiltration ponds were required as a result of significant expansion of the outside storage in a past project. The stormwater standards have not changed significantly from 2005 to today. The bulk of the language was developed in 2001. The berm is 4-8 feet tall. Mr. Schmitz deferred to the applicant to address what type of retaining wall will be built.*

Applicant Ron Anderson, President of Final Grade, approached the podium and reported they will be using a product/material produced by the neighboring business, Interlock Concrete, and will consist of 800lb large block that are structurally designed to be stacked up to 10 feet tall.

Bill Schneider, Sand Creek Town Board Supervisor, approached the podium, he stated Final Grade has been a good business owner in Sand Creek and the Town Board has no complaints.

The public hearing was opened to the public; however, no one approached the podium to comment.

Motion by Commissioner Huber to close the public hearing; second by Commission Hartmann. The motion carried unanimously

Motion by Commissioner Huber; second by Commission Hartmann, based on the conditions and criteria for approval listed in the staff report, I recommend approval of the CUP Amendment for RJ Property Holdings, LLC to operate and excavating company, Final Grade, Inc., and lease office/shop space to industrial users in the I-1 zoning district, noting that there are conditions that must be satisfactorily addressed prior to County Board consideration of the project. Noting the Sand Creek Town Board as recommended approval. Commissioner Hrabe asked for clarification if the conditions include the utility agreement, Planner Marty Schmitz confirmed it is listed in the conditions. The motion carried unanimously.

Criteria for CUP Approval (Chapter 2-6-1):

1. The proposed use will not create an excessive burden on public facilities.
2. The proposed use is compatible with industrial uses on adjacent lots.
3. The existing structure is designed of materials that are not unsightly in appearance.
4. The use is consistent with the purpose of the I-1 Zoning District.

5. The use is not in conflict with the Scott County 2020 Comprehensive Plan.
6. Adequate measures have been taken to provide ingress and egress, access to public roads and on-site parking.
7. Adequate water supply, sewage treatment systems, erosion control and storm water facilities have been approved by County Staff.
8. The existing building meets the requirements of the Building Code.

Conditions to be Satisfied Prior to County Board Consideration:

1. The applicant shall receive documentation of approval for the construction of the retaining wall within the existing utility easement prior to County Board consideration.
2. Any conditions and/or comments in the Natural Resources review memo dated 2/25/20 shall be satisfied prior to County Board action.

Conditions of Approval:

1. The applicant is to file with the Scott County Planning Office in January of each year a statement indicating they are in compliance with the conditions of the CUP. Failure to do so may be a basis for revocation of the CUP.
2. If ownership changes, the new owner shall contact the Sand Creek Town Board and the County Planning Office to review the conditions of the CUP. The CUP is issued, the operation of Final Grade Excavating, Inc., and leasing office/shop space to industrial users in the I-1 Zoning District
3. All outside storage except for material stockpiles shall be screened from Highway 169.
4. All parking shall be located on-site in areas as designated on the site plan dated 4/02/19 prepared by Otto and Associates.
5. The business and site shall be operated and maintained in accordance with the applicant's letter dated 5/2/2005.
6. All signage shall comply with the Scott County Sign Ordinance.
7. All structures utilized for conducting business shall meet the requirements of the Scott County Building Official and State Building and Fire Codes.
8. Oil, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
9. Outside storage of products and equipment shall be limited to the gravel yard as indicated on the site plan dated 4/02/19.

10. The property shall be maintained in a neat and orderly manner.
11. At any time prospective tenants are applying to occupy the building, the applicant, RJ Property Holdings, LLC., will be required to meet the Planning Department, Building Inspections Department, Environmental Health Department and Sand Creek Township to ensure the proposed use by the tenant of the building and site is compatible with the structure, CUP, service capacity, and zoning requirements applicable to the property; upon successful review the tenant will be issued a Certificate of Compliance by Scott County.
12. Estimated additional water use and septic system impacts by prospective tenants will be reviewed by Environmental Health before that tenant will be allowed to occupy the building or portion thereof.
13. Material stockpile heights shall not exceed 30 feet and not more than 50,000 tons of any type of material may be stored on the entire property at any time.
14. A Scott County Solid Waste License is required for any concrete or asphalt recycling facilities on the site. Conditions may be placed on the license limiting volumes, stockpile height, stockpile location, or any other conditions the County or Township considers necessary to protect the interest and views of the surrounding area and roads.
15. Concrete and asphalt crushing activities shall be limited to 7am to 6 pm Monday through Saturday
16. The Sand Creek Town Board may conduct an annual review of the business to ensure that they follow the CUP conditions.
17. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.

V. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VI. GENERAL & ADJOURN

Motion by Commissioner Hentges; second by Commission Hrabe to adjourn the meeting at 7:15 PM. The motion carried unanimously.

VII. ORDINANCE WORKSHOP FOR COMMISSIONERS FOLLOWING ADJOURNMENT

Tom Vonnhof
Chair, Planning Advisory Commission

Date

Barbara Simonson
Deputy Clerk to the Board

Date



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8653 • Fax (952)496-8496 • Web www.scottcountymn.gov

Dem-Con Companies LLC – Conditional Use Permit Amendment

Request:

Conditional Use Permit Amendment for Dem-Con Companies, LLC to combine facilities.

Greg Wagner, Principal Planner, is the project manager and is available for questions at 952-496-8360.

General Information:

Applicant:	Dem-Con Companies, LLC	Site Location:	13020 Dem Con Drive, Shakopee, MN 55379
Property Owner:	Dem-Con Companies, LLC	Township:	Louisville, Section 21
Public Hearing Date:	April 13, 2020	Action Deadline:	June 24, 2020 (120 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	I-1, Rural Industrial	Comprehensive Land Use Plan:	Commercial/Industrial Area
Watershed District:	Lower MN	Fire District:	Shakopee Fire Department
Ordinance Sections:	Chapters 2, 16 & 60	Ambulance District:	Allina

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Applicant Narrative
4. Project Site Plan (Sheet C1) dated February 21, 2020
5. Building Addition Elevation
6. Landscape Plan

Request-

Conditional Use Permit Amendment for Dem-Con Companies LLC to combine facilities.

Comprehensive Plan-

The 2040 Comprehensive Plan Update guides this parcel as Industrial for land uses.

Adjacent Land Use/Zoning- North – 5-acre industrial parcels, zoned I-1
South – 1.5-acre substation parcel, zoned I-1
East – 1.4- & 4.4-acre industrial parcels, zoned I-1
West – 20-acre landfill parcels, zoned I-1

Existing Conditions- The Dem-Con parcels exist as two separate, platted 6-acre industrial lots. Each consists of a main building and outdoor storage in the side and rear yards.

Ordinance Requirements- Structure Setbacks:
Front Yard: 67 feet from Township road right-of-way.
Side Yard: 20 feet or height of building, whichever greater.
Rear Yard: 30 feet
Parking: 20 feet to right-of-way/property line.
Outdoor Storage: Cannot be located in a front yard

Proposed Development- Structure Setbacks:
Front Yard: 67 feet from road right-of-way.
Side Yard: 250 feet
Parking: 20 feet to road right-of-way.
Outdoor Storage: Outdoor storage is outside of the required front yard setbacks.

Existing Roads- The site has frontage on Dem Con Drive, with driveway access to the parking area for both existing structures. The outdoor storage area has access off 130th Street West.

Proposed Roads- No new roads are proposed.

Public Hearing Notice- Required public hearing notices were mailed to all adjacent property owners within ¼ mile of the project.

Site Photo- View looking north at the Dem-Con parcels.



Background:

Dem-Con Companies LLC, Mark Pahl, is requesting to amend two conditional use permits (CUP) for their businesses located on adjacent parcels in section 21, Louisville Township. Dem-Con Companies has their main office facility and contractor yard located at 13020 Dem Con Drive, which was platted, and CUP approved in 2002. Immediately to the south Dem-Con has a metal recycling facility and single stream processing facility that was platted and issued a CUP in 2015. Both parcels are zoned I-1, Rural Industrial, which allows contractor yards, associated office facilities, and recycling centers through a CUP. The CUP amendment would result in one CUP that covers the entire parcel rather than two separate CUP's.

As the properties were platted and CUP's issued at different times the sites are regulated under separate permits. Mark Pahl contacted Scott County to explore the possibility of combining the two parcels and operations of the two sites to better utilize the common yard area and better react to ever changing markets for recycling services. They are requesting to combine the two parcels into one property to eliminate the common side yard property line, which will allow them to use the outside storage yard for both businesses as well as expand into the common side yard area. They also plan to add a building addition to the metal recycling building that would allow for more maintenance and warehouse space as well as expand employee parking.

Dem-Con also owns and operates a demolition landfill to the west, a solid waste transfer station to the north, and a household (curbside) recycling center across Dem Con Drive to the east. They have been growing in the ever-changing recycling market and this parcel combination and CUP amendment will provide them with site flexibility to better utilize their space depending on market demand and needs.

Zoning Analysis:

The applicant met with County staff and Louisville Township at a Development Review Team (DRT) meeting in early March to discuss the lot combination and amended CUP. Both parcels are platted lots and the property combination would be completed by the property owner, Dem-Con Companies LLC, combining the two parcels on a single property deed. This would create a single, new tax parcel and eliminate the center common property line. The other required action would be to work with Louisville Township to vacate the 10-foot-wide drainage & utility easements that parallel this lot line. All other recorded easements would remain.

Since both parcels were previously platted and CUP's issued to both uses, most of the land use concerns have been addressed at the time those CUP's were reviewed. The recycling building would double in size with the new addition, which is shown on the north end of the existing building. This addition, along with additional fencing and landscaping will be consistent with the existing building and landscaping and will help screen the storage yard to the rear. Additional bituminous will be added in front of the building, as well as bituminous parking for Dem-Con employees. The storage yard is class 5, which will be expanded over the common lot line area, otherwise there are no substantial changes to how the site functions.

Staff has taken the conditions of the two existing CUP's and has combined these into a single set of conditions for the proposed CUP amendment. These conditions are listed in this report and have been provided to Dem-Con and the Township.

Access & Parking:

Both parcels have two accesses off Dem-Con Drive, a paved Louisville Township road. The northern access is for Dem-Con offices employee and customer parking and the secondary access leads to additional employee parking and the rear contractor yard. On the recycling property the two driveways provide similar access and circulation. The additional bituminous will allow for more truck parking off the public road, and more employee parking space. No access changes are proposed for this request.

Landscaping and Screening Plan/Fencing:

The property currently contains numerous pine and spruce trees that were established in with the original site development. Some of these smaller trees will be moved based on the new expansion plans, and additional trees will be added to meet county ordinance guidelines as shown on the attached landscape plan (L1). The storage yard is fenced by a chain-link security fence that also has a fabric cover in places to help prevent recycling debris blowing out from the site.

Natural Resources and Environmental Services:

The site stormwater management was designed with the original office/contractor yard in 2002 and Dem-Con Drive in 2003. All stormwater is directed to the infiltration basin and stormwater pond on the south end of the recycling center property. The stormwater system was designed for these parcels at 75% impervious surface, and as proposed the site will be at 72%. The proposed improvements are consistent with the overall design and will be reviewed at time of building permit for drainage and erosion control.

Each building has a dedicated septic drainfield and an alternate septic site. These sites are in the lawn areas of the property and will not be impacted by the proposed changes.

Township Recommendation:

The Louisville Town Board will be making a recommendation on the request at their May meeting. A copy of the recommendation will be provided at the public hearing.

Staff Recommendation:

Subject to the conditions of approval, the conditional use permit conforms to the Zoning Ordinance; therefore, staff recommends approval of the conditional use permit based on the eight criteria for approval listed below:

Conditions to be Satisfied Prior to County Board Consideration:

1. Any conditions stated in Louisville Township recommendation.

Criteria for Approval (Chapter 2-6-1):

1. The use will not create an excessive burden on public facilities and utilities that serve or are proposed to serve the area.

The uses are existing and will be combining to allow flexibility in the services that they provide, and the site is serviced by private septic and stormwater management.

2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.

The uses are allowed in the I-1 district through a CUP, and adjacent uses are also industrial in nature and of similar type. Screening and landscaping are in place and will be added to supplement the expanded contractor yard.

3. Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.

The existing structures are precast concrete panel building with natural color. The building will be similar to other Dem-Con buildings in the area.

4. The use is consistent with the purposes of the Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The use is consistent with the uses allowed as a CUP in the I-1, Rural Industrial District.

5. The use is not in conflict with the Comprehensive Plan of Scott County.

The Comprehensive Plan guides this property as Industrial.

6. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking.

Access to the site will be maintained from Dem-Con Drive, a paved Township road. Improvements and expansion on-site parking will provide additional parking.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.

The proposed business expansion will utilize an individual well and private sewage treatment system, as well as the existing stormwater management system that is designed for the proposed added impervious surface.

8. All buildings/structures must meet the intent of the State Building Code and/or fire codes.

The proposed building will require building permits and review by the Scott County Building Department for conformance to the State Building Code.

Conditions of Approval:

1. The applicant is to notify the Scott County Zoning Administration Department in January of each year, stating they are in compliance with the conditions of the Conditional Use Permit (CUP).
2. This CUP is specifically issued to Dem-Con Companies LLC, applicant and property owner, for the operation of an office facility, contractor yard with outdoor storage, maintenance shop, and recycling center with outdoor storage.

3. Dem-Con Companies LLC may also lease space to other industrial users after review by Louisville Township and Scott County and issuance of a Certificate of Compliance.
4. If ownership changes or if modifications are proposed, the applicant shall review any operational changes with Louisville Township and Scott County to determine if the proposed operations are consistent with this CUP.
5. The Louisville Town Board may conduct an annual review of the business to ensure that it is in compliance with the CUP.
6. The applicant shall pay an annual inspection fee, if and when the County adopts an inspection fee ordinance.
7. The property shall be developed according to the approved project plans dated February 21, 2020 and landscaping plan dated March 27, 2020. Any modifications to the project plans shall be reviewed by Louisville Township and Scott County Zoning Administration for conformance to the CUP.
8. All outside storage shall be in the rear or side yard as permitted by this CUP and the County Zoning Ordinance. Storage piles shall not exceed 30 feet in height.
9. All signage shall comply with County Zoning Ordinance regulations.
10. Oils, solvents, and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance, and all tenants shall obtain a hazardous waste license as required by Environmental Services.
11. The applicant shall obtain a solid waste license for any recycling materials processed on the site, as required by Environmental Services.
12. The property shall be maintained in a neat and orderly manner.

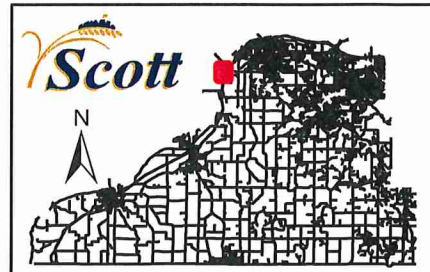
Township Board/Planning Advisory Commission Alternatives:

1. Approve the request as recommended by Zoning Administration Staff with the specified conditions.
2. Approve the request as recommended by the Zoning Administration Staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Planning Commission Motion:

Based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit amendment for Dem-Con Companies, LLC, noting that this recommendation is subject to the condition listed in the staff report that must be satisfactorily addressed prior to County Board consideration of the CUP.

**LOUISVILLE TOWNSHIP
SECTION 21
DEM-CON COMPANIES LLC
REQUEST TO AMEND
CONDITIONAL USE PERMIT**



130th Street West

Dem Con Drive

Johnson Memorial Drive

169

Ventura Court

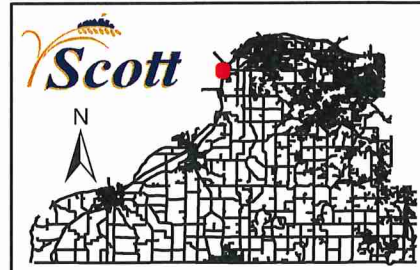
133rd Street West

Louisville Road

Skyline Circle

Highway
Holiday Lane

**LOUISVILLE TOWNSHIP
SECTION 21
DEM-CON COMPANIES LLC
REQUEST TO AMEND
CONDITIONAL USE PERMIT**



130th Street West

Dem Con Drive

Johnson Memorial Drive

169

133rd Street West

Dem-Con Compaines, LLC

Application to combine parcels and amend Conditional Use Permits #1167-C-7 and #1248-C-7

Louisville Township, Scott County, Minnesota

Dem-Con Companies, LLC is requesting to amend the existing conditional use permits for two separate parcels located in Louisville Township. In addition to the CUP amendment, Dem-Con is requesting to combine the two parcels.

Overview

The parcel located at 13020 Dem-Con Drive was platted and CUP #1248-C-7 was approved in 2002. The CUP allows for a multi-tenant contractor yard with office, maintenance shop, and outside storage of equipment. The lot has been used for this purpose since issuance in 2002.

The parcel located at 13142 Dem-Con Drive was platted in 2009 at which time it was also added to CUP #1167-C-7. Conditional Use Permit #1167-C-7 was originally issued in 1999 as part of the construction of the Dem-Con Transfer Station located at 3230 West 130th Street. The CUP for this parcel was amended in 2015 to allow for the construction of a 12,000 square foot warehouse and metal recycling facility. Currently, the south half of the lot is used for a metal recycling facility and the north half of the lot is used for outside processing and storage of recyclable materials.

Dem-Con is requesting to amend the CUPs and combine the lots to realize both the flexibility and efficiency of one larger parcel. Dem-Con has experienced significant growth over the last 10 years in both the recycling and transportation areas of its business resulting in the need for more storage of trucks and recycling related equipment and materials. During that same period, the supply and demand in the markets for recyclable materials has been ever changing. Dem-Con has been able to succeed in the challenging markets of recycling because it has had the ability to change its operations over time. Dem-Con expects the recycling markets for both residential and construction related materials to continue to change and this amendment will aid in Dem-Con's ability to adapt in the markets.

Dem-Con is requesting to amend CUP #1248-C-7 to allow for the existing uses currently permitted on both of the affected parcels as well as the construction of additional maintenance and warehouse space and employee parking. Those uses include but are not limited to a contractor yard, truck storage, dumpster storage, heavy equipment storage, shingle recycling, aggregate recycling, wood recycling, vinyl siding recycling, cardboard recycling, and other products.

A concept sketch has been attached to this application. The sketch shows the outside storage, contractor yard and recycling areas in purple. The 140' x 80' foot building addition is shown in red with the additional employee parking areas in green. The orange line represents the relocation and reuse of the exiting screening fence. Dem-con will be submitting detailed site and grading plans in the future as a supplement of this application.

Landscaping

Both lots have previously approved individual landscape plans. The combination of the two lots as well as the new warehouse and maintenance facility space will require the replacement or relocation of evergreen trees at the site. Dem-con will relocate or replace any trees affected by the project to ensure there will be no loss of landscape unit count between the two properties.

Stormwater

The two parcels utilize previously approved Resource Management Plans as part of a regional stormwater system with the other surrounding Dem-Con properties. The current plan allows for full buildout of the property. Sunde Engineering will work with the County to verify that existing stormwater facilities are adequate for the amendment.

Septic

Each building has a functioning primary septic system. There are also approved secondary sites located on each parcel. The project will not affect the existing primary or secondary sites.

Dem-Con is looking forward to working with Louisville Township and Scott County on this project and welcomes questions or comments throughout the process. If there are any questions regarding this project, please contact Mark Pahl at markpahl@dem-con.com or 612.282.0864.



2020 CUP AMENDMENT AND LOT COMBINATION

SCOTT COUNTY,
MINNESOTA

DATE	REVISION
3/20/2020	parking layout

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Kristi Panky

DATE: 2/21/2020 REG. NO.: 218

INFORMATION:

PROJECT NO.:

DRAWN BY: SR

CHECKED BY: _____

APPROVED BY: _____

SCALE: _____

DATE: 07-24-2019

DESCRIPTION:

SHEET NO: _____

C1



Setback Requirements:

- a. Front Yard Setback Minimum, All Structures. One hundred (100) feet from the centerline of a local public street, or sixty-seven (67) feet from the local public street right-of-way, whichever is greater.
- b. Side Yard Setback Minimum, All Structures. Twenty (20) feet of the height of the building, whichever is greater.
- c. Rear Yard Setback Minimum, All Structures. Thirty (30) feet. One hundred fifty (150) feet from an existing rural residential, residential suburban, or expansion district.
- d. The setback for any off-street parking or drive aisle from any street right-of-way shall be twenty (20) feet in commercial/industrial districts.
- e. Existing Primary SSTS is setback ten (10) feet from property line.

Zoning Requirements:

- a. No structure shall be located within an easement.
- b. Impervious Surface Lot Coverage. No more than seventy-five (75) percent of the lot.

Impervious Surface Calculations

Site Total: 572,186 sq. ft. (Not including 33' Right of Way along 130th Street W.)

Green Space: 160,993 sq ft (28%) includes stormwater ponds
Hard Surface: 411,193 sq ft. (72%)

Benchmark:

Northwest Corner of the Northeast
Quarter of Section 21, Township 115,
Range 23. Elevation = 804.20 feet

Legal Description:

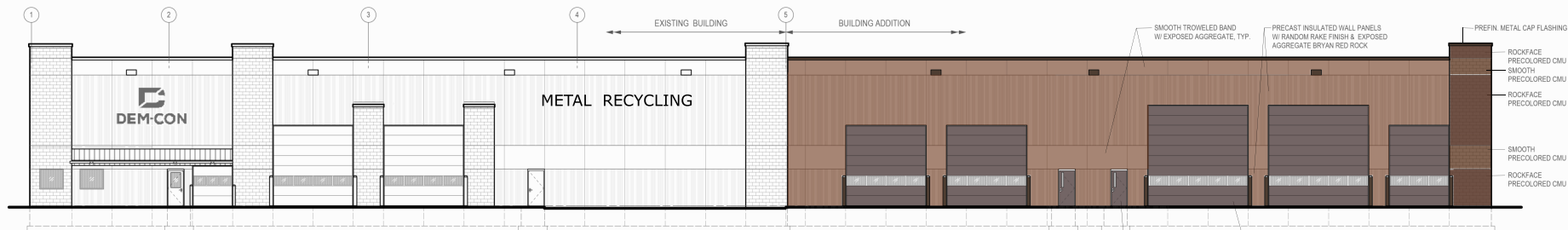
To be determined

Name and Address of Owner:

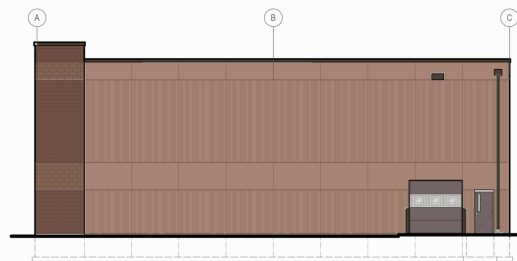
Dem-Con Companies, LLC
13020 Dem-Con Drive
Shakopee, MN 55379

Name and Address of Engineer:

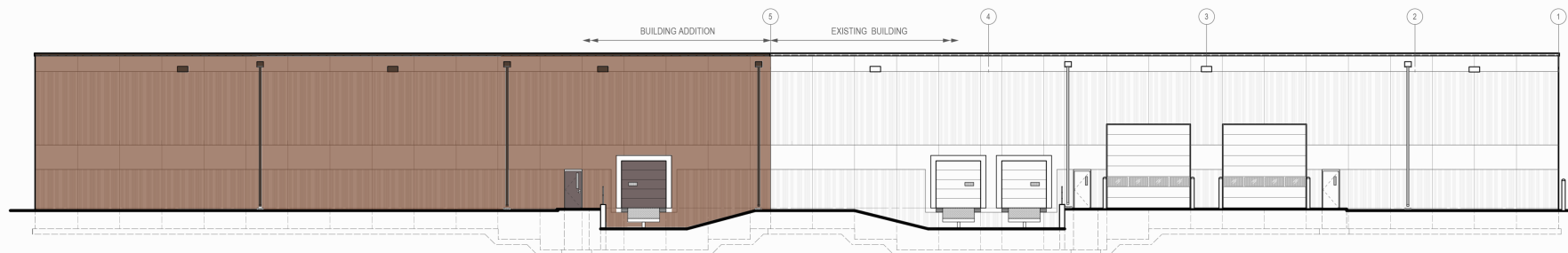
Sunde Engineering, PLLC
10830 Nesbitt Ave. S.
Bloomington, MN 55437



1 EAST ELEVATION
Scale: 3/32" = 1'-0"



2 NORTH ELEVATION
Scale: 3/32" = 1'-0"



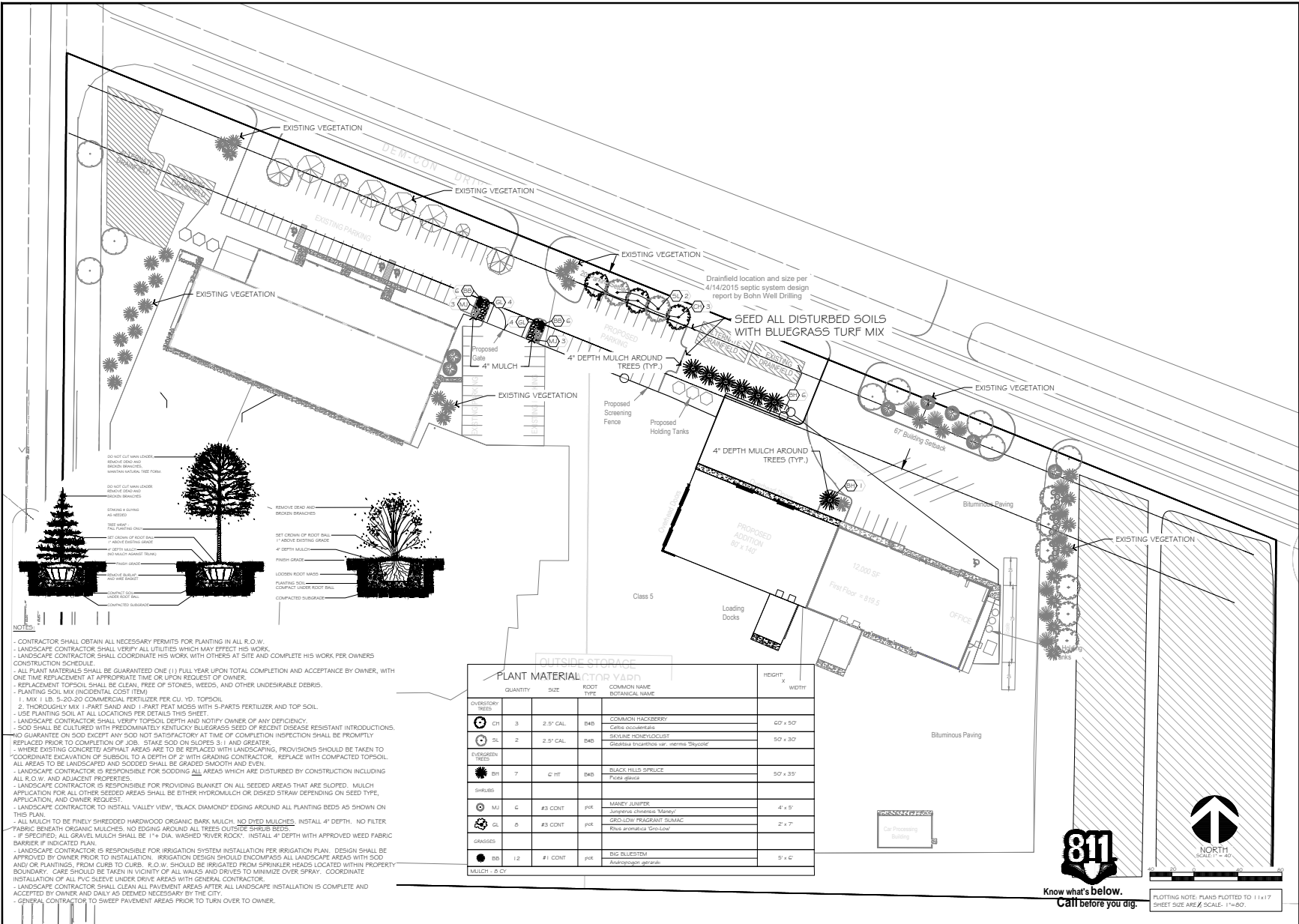
3 WEST ELEVATION
Scale: 3/32" = 1'-0"

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly licensed Landscape Architect under the laws of the State of Minnesota.
 Date: 27MAR2020
 Drawn: Robert J. Mueller

LANDSCAPE PLAN
DEM-CON CUP AMENDMENT & LOT COMBINATION
 13020 DEM-CON DR.
 SHAKOPEE, MN

REV.	DATE	DESCRIPTION

DRAWN BY: _____
 SCALE: _____ GRAPHIC
 REV. NO.: _____
 DATE: 27MAR2020
 SHEET: L1





STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8653 • Fax (952)496-8496 • Web www.co.scott.mn.us

Pahl Family Trust Rezoning

Request:

Rezoning of 39.04 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District.

Nathan Hall, Associate Planner, is the project manager and is available for questions at 952-496-8892

General Information:

Applicant:	Pahl Family Trust	Site Location:	3191 Akers Lane
Property Owners:	Pahl Family Trust	Township:	Sand Creek; Section 16
Public Hearing Date:	May 11, 2020	Action Deadline:	June 23, 2020 (120 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	UER, Urban Expansion Reserve District	Comprehensive Land Use Plan:	Urban Transition
Overlay Zoning District:	N/A	School District:	Jordan #717
Watershed District:	Scott WMO	Fire District:	Jordan
Ordinance Sections:	Chapter 2 & 31	Ambulance District:	Alina Ambulance
Orderly Annexation Area:	N/A	Police District:	Scott County Sheriff

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Applicant Narrative
4. Survey

Request-	Rezoning of 39.04 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District.
Comprehensive Plan-	The proposal is in conformance with the goals and policies for development in the Urban Transition Area identified in the Scott County 2040 Comprehensive Plan.
Adjacent Land Use/Zoning-	<p><u>North</u> – 77.5 acre farmstead parcel, zoned UER</p> <p><u>South</u> – 80 acre agricultural parcel, zoned UER</p> <p><u>East</u> – 157.5 acre farmstead parcel, zoned A-1 & 2.5 acre residential parcel, zoned A-3</p> <p><u>West</u> – 38 acre farmstead parcel, zoned UER</p>
Existing Conditions-	The 39.04 acres proposed for rezoning includes an existing homestead, but is mainly open agricultural land except for a small wetland area and associated small woodland area.
Ordinance Requirements-	<p><u>Density</u> – 1 dwelling unit per 40 acres, or quarter-quarter section.</p> <p><u>Lot Size</u> – Determined by the topography of the area and the ability to locate the principle dwelling, any accessory structures and two (2) individual sewage treatment systems.</p> <p><u>Lot Width</u> – 150 feet for non-farmstead parcels, from the front setback line maintained to the primary building site.</p> <p><u>Structure Setbacks:</u> Front Yard: 100' from the centerline of a township road. Side Yard: 30 feet Rear Yard: 60 feet</p>
Proposed Development-	<p><u>Density</u> – 1 dwelling unit per 40 acres.</p> <p><u>Lot Sizes</u> – The proposed residential lot is 10 acres, the remaining agricultural land will be combined with the neighboring parcel.</p> <p><u>Lot Width</u> – 435.6 feet</p>
Existing Roads-	The existing home has frontage and road access to Akers Lane, a gravel township road.
Proposed Roads-	There are no road improvements proposed with this project.
Public Notice-	Required public hearing notices were sent to property owners within a half-mile of the site.

Site Photo-



Background:

The Pahl Family Trust is requesting to rezone 39.04 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District. The applicant is requesting the rezoning of the property to allow for the administrative subdivision of an existing homestead from the remainder of the property. Scott County Subdivision Ordinance regulations allow the administrative subdivision of an existing farmstead or homestead from parcels that are 40 acres or larger or quarter-quarter sections. The 39 acre parcel is zoned Urban Expansion Reserve, UER, and would be rezoned to UER-C, Urban Expansion Reserve Cluster District, to allow a lot less than 40 acres to be created. The applicant proposes to create a 10 acre lot around the existing home. The remainder of the property would be combined with the neighboring 38 acre parcel that is also owned by the Pahl Family Trust.

The subject parcel is located to the south of Akers Lane, a gravel township road, and is at the southern termination of Xanadu Avenue, a gravel township road. The parcel is located in the Southeast of the Northeast Quarter of Section 16 and the adjacent Pahl Family Trust parcel is located in the southwest or the northeast quarter. The property is largely agricultural except for a small wetland area and some woodlands on the southwest of the parcel. The existing home is located near the western boundary of the property.

Following approval of the rezoning the applicant proposes to subdivide the home on a 10 acre parcel and combine the remainder with the adjacent property. This would be reviewed through an Administrative Subdivision, which is approved by County staff.

The National Wetland Inventory identifies a relatively small, seasonally flooded basin on the property. There were no wetlands identified on the proposed residential lot; since the remaining land will remain in agricultural production no further wetland investigation is required. The existing septic system was installed in 2008 and an alternate site has already been approved by Scott County Environmental Services.

The property has an existing driveway access onto Akers Lane, which is a gravel township road in Sand Creek Township. Any requirements of the Town Board review of the rezoning or lot split are listed as a condition of approval.

Township Recommendation:

The Sand Creek Town Board will make a rezoning recommendation at their May monthly meeting. A copy of the recommendation will be provided at the Planning Commission meeting.

Staff Recommendation:

Based on the project information submitted by the applicant and subject to the conditions of approval, the proposed rezoning conforms to the Zoning Ordinances. Therefore, staff recommends approval of the rezoning based on the criteria for approval listed below:

Criteria for Approval:

1. *Consistency with the Comprehensive Plan* - the proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan.
2. *Compatible with present and future land uses of the area* - the use is not changing and while the lot size is being reduced the overall density will remain at one unit per 40 acres.
3. *The proposed use conforms to all performance standards contained in the Zoning Ordinance* - the use of the property is not changing, a single family home conforms to all zoning standards.
4. *Public Service Capacity* - the use is not changing and will not adversely impact public service capacity for local service providers.
5. *Adequate Roads or Highways to Serve the Subdivision* – the single family home has frontage and driveway access to Akers Lane. No additional access is proposed.

Conditions of Approval:

1. Any conditions stated in the Sand Creek Township Board recommendation.

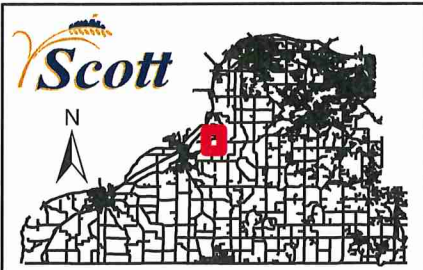
Planning Advisory Commission/Township Alternatives:

1. Approve the request as recommended by Planning staff with the specified conditions.
2. Approve the request as recommended by the Planning staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Motion for Planning Advisory Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the rezoning of 39.04 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District.

**SAND CREEK TOWNSHIP
SECTION 16
PAHL FAMILY TRUST
REQUEST FOR REZONING**



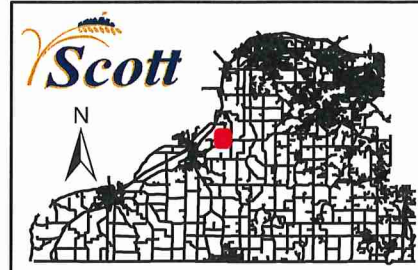
180th Street West

Akers Lane

Country Trail West

180th Street West

**SAND CREEK TOWNSHIP
SECTION 16
PAHL FAMILY TRUST
REQUEST FOR REZONING**



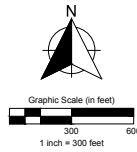
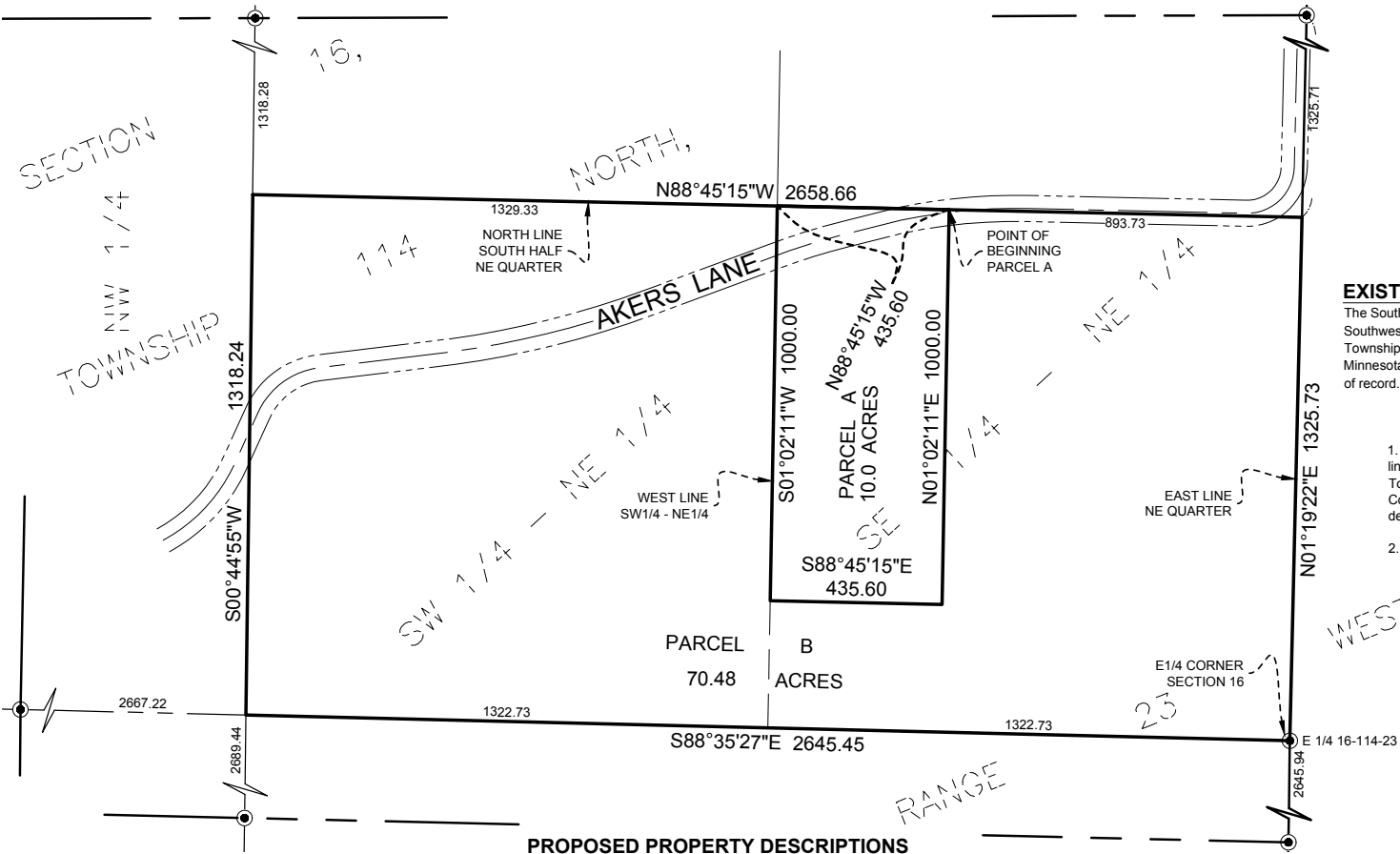
Akers Lane

February 21, 2000

RE: Rezoning and Administrative Split of Pahl Family Trust Property

The Pahl Family Trust owns two parcels, PID 099160041 and PID 099160042, totaling approximately 80 acres in Sand Creek Township. There currently are two homes on the two parcels located at 3331 Akers Lane and 3191 Akers Lane. We are requesting the rezoning of the property to allow for an administrative split of the property resulting in one home located on the 10 acre parcel and the other home on the remaining 70 acre parcel. There are no construction or development plans associated with this request. A survey of the proposed parcels is attached.

Both homes have modern primary septic systems with approved alternate sites. The new lot configuration does not interfere with the primary or secondary septic sites. The approved septic design packets are attached to this application.



EXISTING PROPERTY DESCRIPTION
The Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter all of Section 16, Township 114 North, Range 23 West, Scott County, Minnesota, subject to Akers Lane, and subject to easements of record.

- SURVEY NOTES**
- 1. The bearing system is based on the east line of the Northeast Quarter of Section 16, Township 114 North, Range 23 West, Scott County, Minnesota. Said line bears North 01 degrees 19 minutes 22 seconds East.
 - 2. Field work was not conducted.

MONUMENT PER SCOTT COUNTY COORDINATE BREAKDOWN

PROPOSED PROPERTY DESCRIPTIONS

Parcel A
That part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 114 North, Range 23 West, Scott County, Minnesota, described as follows:

Commencing at the east quarter corner of said Section 16; thence North 01 degrees 19 minutes 22 seconds East (assumed bearing) along the east line of said Northeast Quarter, a distance of 1325.73 feet to the north line of the South half of said Northeast Quarter; thence North 88 degrees 45 minutes 15 seconds East along said north line, a distance of 893.73 feet to the Point of Beginning; thence continuing North 88 degrees 45 minutes 15 seconds East along said north line, a distance of 435.60 feet to the west line of said Southeast Quarter of the Northeast Quarter; thence South 01 degrees .02 minutes 11 seconds West along said west line, a distance of 1000.00 feet; thence South 88 degrees 45 minutes 15 seconds East, a distance of 435.60 feet; thence North 01 degrees 02 minutes 11 seconds East, parallel with said west line, a distance of 1000.00 feet to the Point of Beginning.

Contains 10.0 acres of land.

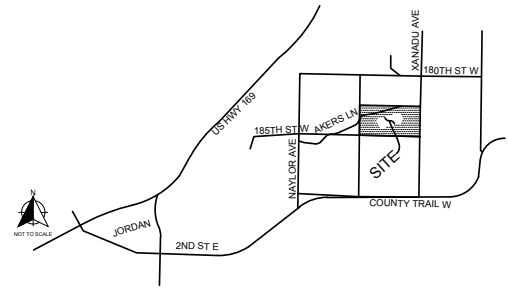
Parcel B
The South Half of the Northeast Quarter of Sections 16, Township 113 North, Range 23 West, Scott County, Minnesota.

EXCEPT

That part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 114 North, Range 23 West, Scott County, Minnesota, described as follows:
Commencing at the east quarter corner of said Section 16; thence North 01 degrees 19 minutes 22 seconds East (assumed bearing) along the east line of said Northeast Quarter, a distance of 1325.73 feet to the north line of the South half of said Northeast Quarter; thence North 88 degrees 45 minutes 15 seconds East along said north line, a distance of 893.73 feet to the Point of Beginning; thence continuing North 88 degrees 45 minutes 15 seconds East along said north line, a distance of 435.60 feet to the west line of said Southeast Quarter of the Northeast Quarter; thence South 01 degrees .02 minutes 11 seconds West along said west line, a distance of 1000.00 feet; thence South 88 degrees 45 minutes 15 seconds East, a distance of 435.60 feet; thence North 01 degrees 02 minutes 11 seconds East, parallel with said west line, a distance of 1000.00 feet to the Point of Beginning.

Contains 70.48 acres of land.

LOCATION



NO.	DATE	DESCRIPTION

3331 & 3191 AKERS LANE
PAHL FAMILY TRUST
JORDAN, MINNESOTA

SKETCH OF DESCRIPTION



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 · 200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8475 · Fax (952)496-8496 · Web www.co.scott.mn.us

Kabes Farm Preliminary & Final Plat

Request:

A) Preliminary & Final Plat of Kabes Farm consisting of 10 lots on 101.05 acres.

Greg Wagner, Principal Planner, is the project manager and is available for questions at 952-496-8360.

General Information:

Applicant:	Randy & Chris Kubes	Site Location:	North of 270 th Street E & West of Vergus Avenue
Property Owners:	McCue Family Farm Partnership	Township:	Section 29, Cedar Lake
Public Hearing Date:	April 13, 2020	Action Deadline:	July 18, 2020 (120 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	RR-1, Rural Residential Reserve District	Comprehensive Land Use Plan:	Rural Residential Reserve
Overlay Zoning District:	None	School District:	New Prague #721
Watershed District:	Scott WMO	Fire District:	New Prague Fire
Ordinance Sections:	Chapter 40	Ambulance District:	North Memorial
Orderly Annexation Area:	NA	Police District:	Scott County Sheriff

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Preliminary Plat
4. Final Plat
5. Grading, Erosion Control, and SWPPP plans dated February 28, 2020
6. Scott County Natural Resources review memo dated March 23, 2020
7. Scott County Environmental Services review memo dated March 24, 2020

Request-	Preliminary & Final Plat of Kabes Farm consisting of 10 lots on 101.05 acres.
Comprehensive Plan-	The proposal is in conformance with the goals and policies for development in the Rural Residential Reserve Area identified in the Scott County 2040 Comprehensive Plan.
Adjacent Land Use/Zoning-	<u>North</u> – 10 acre residential parcels, zoned RR-1 <u>South</u> – 10 acre residential parcels, zoned RR-1 <u>East</u> – 10-40 acres residential parcels, zoned RR-1 <u>West</u> – 40 acre agricultural parcels, zoned RR-1
Existing Conditions-	The 101.05 acres is mostly rolling agricultural land that drains towards a large wetland area on the north end of the property.
Ordinance Requirements-	<u>Density</u> – 1 dwelling unit per 10 acres. <u>Lot Size</u> – 10 acres with 1 acre of non-hydric land to locate the principle dwelling, any accessory structures and two (2) individual sewage treatment systems. <u>Lot Width</u> – 300 feet shall be maintained from the front setback line to the primary building site. <u>Structure Setbacks:</u> Front Yard: 100 feet from centerline or 67 feet from right-of-way of a local township road. Side Yard: 30 feet Rear Yard: 60 feet
Proposed Development-	<u>Density</u> – 1 dwelling unit per 10.1 acres. <u>Lot Sizes</u> – Lot sizes range from 10.00 to 10.65 acres. <u>Lot Width</u> – All lots meet the or exceed the 300 foot lot width.
Existing Roads-	The property has frontage on 270 th Street East and Vergus Avenue, both gravel township roads.
Proposed Roads-	No new roads are proposed. The applicants met with Cedar Lake Township officials to identify shared driveway accesses locations. 2 shared accesses will be used on 270 th Street East and 3 shared accesses on Vergus Avenue.
Public Notice-	Required public hearing notices were sent to property owners within a half-mile of the property.

An aerial photograph of a rural landscape, likely in a coastal or agricultural region, showing various land parcels. The parcels are outlined with red lines, and many are labeled with numbers. A yellow line with arrows highlights a specific path or boundary. The terrain is a mix of brown, tilled soil and some green vegetation. The numbers are in white text on a black background. The yellow line starts at the top center and points to several parcels, including 39290015, 39290012, 39290061, 39290060, 39290050, 39290096, and 39290020. Other parcels are labeled with numbers like 39290070, 39290071, 39290072, 39290073, 39290080, 39290030, 39290031, 39290021, 39290111, 39290120, 39290010, 39290040, 39290095, 39290094, 39290093, 39290092, 39290091, 39290090, 39290089, 39290088, 39290087, 39290086, 39290085, 39290084, 39290083, 39290082, 39290081, 39290080, 39290079, 39290078, 39290077, 39290076, 39290075, 39290074, 39290073, 39290072, 39290071, 39290070, 39290069, 39290068, 39290067, 39290066, 39290065, 39290064, 39290063, 39290062, 39290061, 39290060, 39290059, 39290058, 39290057, 39290056, 39290055, 39290054, 39290053, 39290052, 39290051, 39290050, 39290049, 39290048, 39290047, 39290046, 39290045, 39290044, 39290043, 39290042, 39290041, 39290040, 39290039, 39290038, 39290037, 39290036, 39290035, 39290034, 39290033, 39290032, 39290031, 39290030, 39290029, 39290028, 39290027, 39290026, 39290025, 39290024, 39290023, 39290022, 39290021, 39290020, 39290019, 39290018, 39290017, 39290016, 39290015, 39290014, 39290013, 39290012, 39290011, 39290010, 39290009, 39290008, 39290007, 39290006, 39290005, 39290004, 39290003, 39290002, 39290001, 39290000, 39280000, 39280001, 39280002, 39280003, 39280004, 39280005, 39280006, 39280007, 39280008, 39280009, 39280010, 39280011, 39280012, 39280013, 39280014, 39280015, 39280016, 39280017, 39280018, 39280019, 39280020, 39280021, 39280022, 39280023, 39280024, 39280025, 39280026, 39280027, 39280028, 39280029, 39280030, 39280031, 39280032, 39280033, 39280034, 39280035, 39280036, 39280037, 39280038, 39280039, 39280040, 39280041, 39280042, 39280043, 39280044, 39280045, 39280046, 39280047, 39280048, 39280049, 39280050, 39280051, 39280052, 39280053, 39280054, 39280055, 39280056, 39280057, 39280058, 39280059, 39280060, 39280061, 39280062, 39280063, 39280064, 39280065, 39280066, 39280067, 39280068, 39280069, 39280070, 39280071, 39280072, 39280073, 39280074, 39280075, 39280076, 39280077, 39280078, 39280079, 39280080, 39280081, 39280082, 39280083, 39280084, 39280085, 39280086, 39280087, 39280088, 39280089, 39280090, 39280091, 39280092, 39280093, 39280094, 39280095, 39280096, 39280097, 39280098, 39280099, 39290000, 39290001, 39290002, 39290003, 39290004, 39290005, 39290006, 39290007, 39290008, 39290009, 39290010, 39290011, 39290012, 39290013, 39290014, 39290015, 39290016, 39290017, 39290018, 39290019, 39290020, 39290021, 39290022, 39290023, 39290024, 39290025, 39290026, 39290027, 39290028, 39290029, 39290030, 39290031, 39290032, 39290033, 39290034, 39290035, 39290036, 39290037, 39290038, 39290039, 39290040, 39290041, 39290042, 39290043, 39290044, 39290045, 39290046, 39290047, 39290048, 39290049, 39290050, 39290051, 39290052, 39290053, 39290054, 39290055, 39290056, 39290057, 39290058, 39290059, 39290060, 39290061, 39290062, 39290063, 39290064, 39290065, 39290066, 39290067, 39290068, 39290069, 39290070, 39290071, 39290072, 39290073, 39290074, 39290075, 39290076, 39290077, 39290078, 39290079, 39290080, 39290081, 39290082, 39290083, 39290084, 39290085, 39290086, 39290087, 39290088, 39290089, 39290090, 39290091, 39290092, 39290093, 39290094, 39290095, 39290096, 39290097, 39290098, 39290099, 39280000, 39280001, 39280002, 39280003, 39280004, 39280005, 39280006, 39280007, 39280008, 39280009, 39280010, 39280011, 39280012, 39280013, 39280014, 39280015, 39280016, 39280017, 39280018, 39280019, 39280020, 39280021, 39280022, 39280023, 39280024, 39280025, 39280026, 39280027, 39280028, 39280029, 39280030, 39280031, 39280032, 39280033, 39280034, 39280035, 39280036, 39280037, 39280038, 39280039, 39280040, 39280041, 39280042, 39280043, 39280044, 39280045, 39280046, 39280047, 39280048, 39280049, 39280050, 39280051, 39280052, 39280053, 39280054, 39280055, 39280056, 39280057, 39280058, 39280059, 39280060, 39280061, 39280062, 39280063, 39280064, 39280065, 39280066, 39280067, 39280068, 39280069, 39280070, 39280071, 39280072, 39280073, 39280074, 39280075, 39280076, 39280077, 39280078, 39280079, 39280080, 39280081, 39280082

Randy & Chris Kubes are proposing to subdivide 101.05 acres, owned by the McCue Family Farm Partnership, into ten, 10-acre residential lots located in section 29 of Cedar Lake Township. The property is zoned Rural Residential Reserve District, RR-1, which allows a 1 dwelling unit per 10 acre gross development density, with a 10 acre minimum lot size and 1 acre of non-hydric soils required on each lot to support two septic drainfield locations.

All lots are 10 acres or just over 10 acres (10.65 is the largest), and all have over 1 acre of non-hydric soils as required by Ordinance. The proposed home locations all exceed the required 100 foot road centerline setback, and the 30 foot side yard and 60 foot rear yard setbacks.

The applicants met with Cedar Lake Township representatives in 2019 to evaluate the site driveway access locations. Cedar Lake Township is requiring that every two lots have a shared driveway access location to limit the total number of driveways and culverts placed in the road ditches. There will be two shared accesses on 270th Street East for the four lots fronting on that road, and three shared access locations on Vergus Avenue for the six lots fronting on that road. Each shared access point will then split to individual driveways. Private access easement agreements will be required for each shared access, and will need to be recorded with the plat.

Natural Resources/Stormwater Management:

Grading and Erosion Control plans were submitted along with a Resource Management Plan (RMP) that address site stormwater management. Most of the site drains to the north and west towards a large wetland complex, and other areas drain towards smaller wetlands and the township road ditch system. No new roads will be constructed so the only new impervious surface will be the new homes and driveways. The cumulative total of the new homes and driveways is over 1 acre of new impervious surface, so the applicants are constructing an infiltration basin on the north end of Lot 3, Block 1 with an access easement along the lot line.

Drainage and erosion control for the individual homes and septic sites will be reviewed independently at time of building and septic permits. All wetlands on the parcel have had the boundaries delineated and a MnRAM qualitative assessment was completed. Conservation Easements will be dedicated over the wetlands and required buffer areas that protect the wetlands from land disturbances; however, these areas can still be used for agricultural production until the lots are changed to residential. All requirements of Scott County Natural Resources review are listed as a condition of plat approval to be satisfied prior to County Board consideration, and conservation easements will be recorded with the final plat.

Environmental/Septic:

Scott County Environmental Services staff conducted site work last fall (2019) with the project septic evaluator conducting soils verification for the proposed septic drainfield locations. This site work helps to identify problem areas so the lots can be adjusted to accommodate the two 5,000 sq. ft. septic sites required on each proposed lot. Environmental Services staff has reviewed the submitted plat soils information and has provided a review memorandum attached to this report. The septic sites have been approved so the only remaining item is to show any existing draitile on the preliminary plat. Draitile will need to be shown on the plat prior to County Board consideration or plans noted that no draitile exists on the site.

Township Recommendation:

Cedar Lake Township was provided the plat application information ahead of their May 2020 monthly meeting. A copy of their recommendation will be provided at the public hearing.

The Cedar Lake Township Attorney will be drafting a three-way development agreement (Developer, Township, County) to encapsulate all plat requirements, fees, improvements, and common driveways.

Staff Recommendation:

Based on the project information submitted by the applicant, the proposed preliminary plat conforms to the Zoning and Subdivision Ordinances. Therefore, staff recommends approval of the preliminary plat based on the criteria for approval listed below:

Conditions to be Satisfied Prior to County Board Consideration:

1. Any conditions stated in the Scott County Environmental Services Department plat review, specifically that any draitile is identified or if none it should be noted on the plat.
2. Any conditions stated in the Scott County Natural Resources Department review of the preliminary plat, grading plans, and resource management plan. Conservation Easements shall be dedicated in conjunction with the Final Plat.
3. Any conditions listed in the Cedar Lake Township recommendation and in the Township Engineer's review of the plat and project plans.
4. A three-way (developer, township, county) development is drafted by the township attorney

5. Payment of all Cedar Lake Township and Scott County Final Plat Fees

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat will meet all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance prior to County Board consideration.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – The proposed lots will have frontage and shared accesses off of 270th Street East and Vergus Avenue, both gravel Cedar Lake township roads.
4. *Adequate Waste Disposal Systems* – the proposed lots will meet all requirements of the individual sewage treatment system ordinance prior to County Board consideration.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Rural Residential Area in Cedar Lake Township.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lots will utilize the existing Township road for access.
7. *Consistency with the Minnesota Environmental Quality Board's Policies*- the project falls below the 80 acres of changed land use threshold for requiring an Environmental Assessment Worksheet.
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore it is consistent with the County's capital improvement plan.

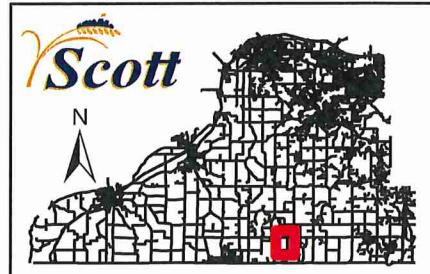
Planning Advisory Commission/Township Alternatives:

1. Approve the request as recommended by Zoning staff with the specified conditions.
2. Approve the request as recommended by the Zoning staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Motion for Planning Advisory Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the preliminary and final plat of Kabes Farm consisting of 10 lots on 101.05 acres noting that this recommendation is subject to the conditions listed that must be satisfactorily addressed prior to County Board consideration of the plat.

**CEDAR LAKE TOWNSHIP
SECTION 29
MCCUE FAMILY PARTNERSHIP
REQUEST FOR
PRELIMINARY PLAT**



Freeborn Ave

260th Street East



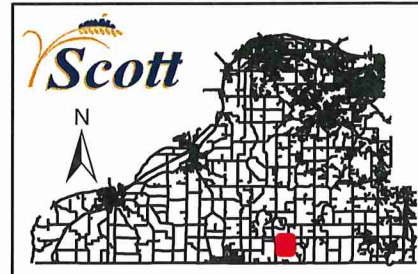
Prairie Rose Court

Vergus Avenue

Newport Avenue

270th Street East

**CEDAR LAKE TOWNSHIP
SECTION 29
MCCUE FAMILY PARTNERSHIP
REQUEST FOR
PRELIMINARY PLAT**



KABES FARM

INSTRUMENT OF DEDICATION

Know all persons by these presents: that McCue Family Farms Partnership, A Minnesota limited partnership, owners of the following described property situated in the County of Scott, State of Minnesota: The South Half of the Southeast Quarter of the Northeast Quarter of Section 29, Township 113, Range 22, Scott County, Minnesota.

Together with the Southwest Quarter of the Southeast Quarter of Section 29, Township 113, Range 22, Scott County, Minnesota, EXCEPT the west 617.00 feet thereof.

Also, together with the East Half of the Southeast Quarter of Section 29, Township 113, Range 22, Scott County, Minnesota, EXCEPT that part of the East Half of the Southeast Quarter of Section 29, Township 113, Range 22, Scott County, Minnesota, described as follows: Commencing at the southeast corner of said East Half of the Southeast Quarter; thence North 00 degrees 11 minutes 05 seconds East (assumed bearing) along the east line of said East Half of the Southeast Quarter 750.14 feet to the point of beginning; thence North 89 degrees 48 minutes 55 seconds East 845.00 feet; thence North 00 degrees 11 minutes 05 seconds East 578.00 feet; thence South 89 degrees 48 minutes 55 seconds East 535.00 feet; thence South 00 degrees 11 minutes 05 seconds West 170.50 feet; thence South 89 degrees 48 minutes 55 seconds East, 310.00 feet to said east line of the East Half of the Southeast Quarter; thence South 00 degrees 11 minutes 05 seconds West, along said east line, 407.50 feet to the point of beginning.

Also, EXCEPT that part of the East Half of the Southeast Quarter of Section 29, Township 113, Range 22, Scott County, Minnesota, described as follows: Beginning at the southeast corner of said East Half of the Southeast Quarter; thence North 00 degrees 11 minutes 05 seconds East (assumed bearing) along the east line of said East Half of the Southeast Quarter 750.14 feet; thence North 89 degrees 48 minutes 55 seconds West 564.64 feet; thence South 00 degrees 11 minutes 05 seconds West 751.41 feet to the south line of said East Half of the Southeast Quarter; thence South 89 degrees 56 minutes 39 seconds East, along said south line, 564.64 feet to the point of beginning. Containing 101.05 acres, more or less.

has caused the same to be surveyed and plotted as KABES FARM and do hereby donate and dedicate to the Public for the public use forever the public ways and also dedicate the easements as shown on this plat for drainage and utility purposes only.

In witness whereof, said McCue Family Farms Partnership, A Minnesota limited partnership, has caused these presents to be signed by its proper partner this ____ day of _____, 2020.

Thomas N. McCue, General Partner

NOTARY CERTIFICATES

State of Minnesota

County of _____

The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by Thomas N. McCue, General Partner.

_____, Notary Public,

State of Minnesota,

My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Rory J. Jensen, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet land, as defined in Minnesota Statutes, Section 505.01, Sub. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 2020.

Rory Jensen, Land Surveyor
Minnesota License Number 19789

NOTARY'S CERTIFICATE

State of Minnesota

County of _____

The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by Rory Jensen, Land Surveyor, Minnesota License Number 19789.

_____, Notary Public

State of _____

My Commission Expires _____

APPROVALS

This plat was approved and accepted by the Town Board of Cedar Lake Township this ____ day of _____, 2020, and is in compliance with the provisions of Minnesota Statutes, Section 505.01, Sub. 2.

Clerk

Chairperson

Be it known that on this ____ day of _____, 2020, Board of Commissioners of Scott County, Minnesota did duly approve this plat of KABES FARM.

Scott County Administrator

I hereby certify that I have examined this plat of KABES FARM and do hereby recommend this plat for approval as to form this ____ day of _____, 2020.

Scott County Attorney

Pursuant to Minnesota Statutes, Chapter 389.09, Sub. 1, as amended, this plat has been reviewed and approved this ____ day of _____, 2020.

Scott County Surveyor

COUNTY AUDITOR AND TREASURER

I hereby certify that the current and delinquent taxes on the lands described within are paid and the transfer is entered this ____ day of _____, 2020.

Scott County Auditor

Scott County Treasurer

Deputy

COUNTY RECORDER

I hereby certify that this plat was filed in this office this day of _____, 2020, ____ o'clock ____ M. as Document Number _____

Scott County Recorder

Horizontal Datum: Scott County Coordinate System
(NAD83) 1996 Adjustment

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY IC NO. 19789
- MONUMENT FOUND

CEDAR LAKE TOWNSHIP
SCOTT COUNTY

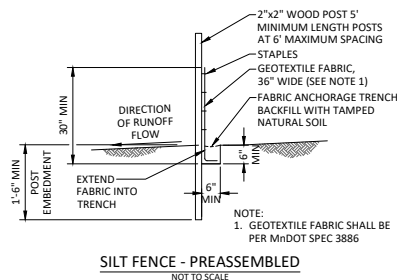
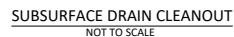


VICINITY MAP
SECTION 29-113-22
NOT TO SCALE

THIS PLAT PREPARED BY BOLTON & MENK, INC.

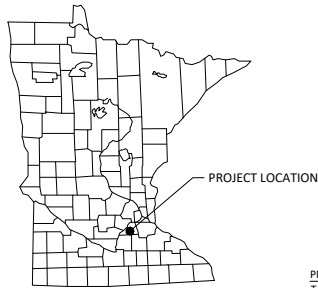
DRAWN BY: JLA

11.0 529-1139-022W

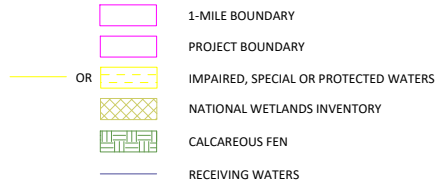


STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

KABES FARM
CEDAR LAKE TOWNSHIP
SCOTT COUNTY, MINNESOTA



LEGEND



RESPONSIBLE PARTIES:

The Contractor and Owner will be joint applicants under the MPCA's General Stormwater Permit for Construction Activity as required by the National Pollutant Discharge Elimination System (NPDES) Phase II program.

The Contractor shall provide one or more trained Construction SWPPP Manager(s) knowledgeable and experienced in the application of erosion prevention and sediment control BMPs that will oversee the implementation of the SWPPP, and the installation, inspection and maintenance of the erosion prevention and sediment control BMPs.

A Construction SWPPP Manager must be available for an on-site inspection within 72 hours upon request by the MPCA.

	COMPANY	CONTACT PERSON	PHONE
OWNER:	Kubes Realty	Chris Kubes	612-759-7831
SWPPP DESIGNER:	Bolton & Menk, Inc.	Lanoli Leichty	952-890-0509
CONTRACTOR:	TBD	TBD	TBD
CONSTRUCTION SWPPP MANAGER:	TBD	TBD	TBD
PARTY RESPONSIBLE FOR LONG TERM O&M:	Bill McCue	Bill McCue	952-292-6166

The SWPPP Designer, Construction SWPPP Manager, and BMP Installer must have appropriate training. Documentation showing training commensurate with the job duties and responsibilities is required to be included in the SWPPP prior to any work beginning on the site. Training documentation for the SWPPP Designer is included on the Narrative sheet. The Contractor shall attach training documentation to this SWPPP for the Construction SWPPP Manager and BMP Installer prior to the start of construction. This information shall be kept up to date until the project NOT is filed.

ADDITIONAL COMPENSATION

Payment for all work associated with Erosion and Sediment Control shall be as described in the Project Manual. Unless otherwise authorized by the Owner no additional payment shall be made for any work required to administer and maintain the site erosion and sediment control in compliance with the Minnesota Pollution Control Agency (MPCA) - General Stormwater Permit for Construction Activity (MN R100001) including but not limited to inspection, maintenance, and removal of BMPs or addition of BMPs to accommodate Contractor phasing.

DOCUMENT RETENTION

Permittees must make the SWPPP, including all inspection reports, maintenance records, training records and other information required by this permit, available to federal, state, and local officials within three (3) days upon request for the duration of the permit and for three (3) years following the NOT.

GENERAL STORMWATER DISCHARGE REQUIREMENTS

All requirements listed in Section 5.1 of the Permit for the design of the permanent stormwater management system and discharge have been included in the preparation of this SWPPP. These include but are not limited to:

- The expected amount, frequency, intensity, and duration of precipitation.
- The nature of stormwater runoff and run-on at the site
- Peak flow rates and stormwater volumes to minimize erosion at outlets and downstream channel and stream bank erosion.
- The range of soil particle sizes expected to be present on the site.

Permanent stormwater treatment systems for this project have been designed in accordance with the guidance in the MN Stormwater Manual in place at the time of bidding. Copies of the design information and calculations are part of this SWPPP and will be provided in digital format upon written request to the Engineer.

PROJECT AREAS:

Total Project Size (disturbed area) =	3.2	ACRES
Existing area of impervious surface =	0.0	ACRES
Post construction area of impervious surface =	1.1	ACRES
Total new impervious surface area created =	1.1	ACRES

Planned Construction Start Date:

XX/XX/2020

Estimated Construction Completion Date:

XX/XX/2020

PERMANENT STORMWATER MANAGEMENT SYSTEM:

Type of storm water management used if more than 1 acre of new impervious surface is created:

X	Wet Sedimentation Basin
	Infiltration/Filtration
	Regional Pond
	Permanent Stormwater Management Not Required

PROJECT LOCATION:

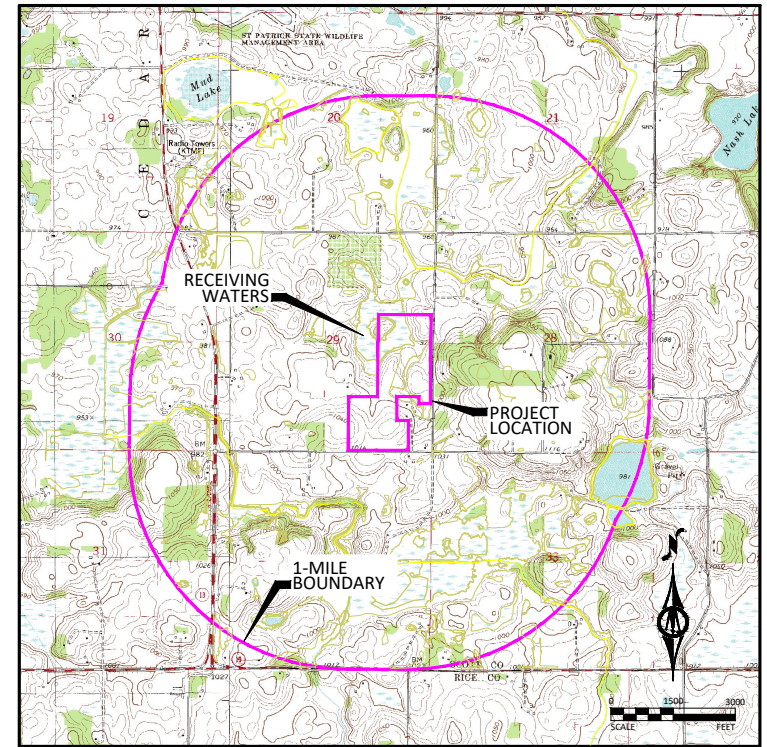
COUNTY	TOWNSHIP	RANGE	SECTION	LATITUDE	LONGITUDE
Scott	T113N	R29W	29	44.560553°	-93.482481°

BMP SUMMARY	QUANTITY	UNIT
Rock Construction Entrance	5	Each
Silt Fence	11,585	LF
Erosion Control Blanket, Category 3	1632	SY

DESCRIPTION OF CONSTRUCTION ACTIVITIES AND STORMWATER MANAGEMENT:

Construction activities include: Site grading, gravel driveway construction, stormwater BMPs, temporary erosion and sediment control, and permanent stabilization.

The proposed site improvements include house pads, driveways and adding a filtration basin to meet the stormwater management requirements. The existing drainage patterns will remain the same after this development has been constructed.



RECEIVING WATERS:

Receiving waters, including surface water, wetlands, Public Waters, and stormwater ponds, within 1-mile of the project boundary are identified on the USGS 7.5 min quad map above. Receiving waters that are impaired, the impairment, and WLA are listed as follows. All specific BMPs relative to construction activities listed in the permit for special, prohibited, restricted, or impaired have been incorporated into this plan. All specific BMPs listed in approved TMDLs and those BMPs listed for construction related waste load allocations have also been incorporated.

NAME OF WATER BODY	TYPE (ditch, pond, wetland, lake, etc.)	Special, Prohibited, Restricted Water ¹	Flows to Impaired Water Within 1-Mile ²	USEPA Approved Construction Related TMDL ³
Unnamed Wetland	Wetland	No	No	No

¹ Special, prohibited, and restricted waters are listed in Section 23 of the MN Construction Stormwater General Permit (MNR100001).

² Identified as impaired under section 303 (d) of the federal Clean Water Act for phosphorus, turbidity, TSS, dissolved oxygen, and/or aquatic biota.

³ Construction Related TMDLs include those related to: phosphorus, turbidity, TSS, dissolved oxygen, and/or aquatic biota.

IMPLEMENTATION SCHEDULE AND PHASING: The Contractor is required to provide an updated schedule and site management plan meeting the minimum requirements of Section 1717 of the Minnesota Standard Specifications for Construction.

- Submit SWPPP Updates to Engineer. Submittal shall include any requested changes to the SWPPP, including but not limited to: Trained Personnel, Locations for Stockpiles, Concrete Washout, Sanitation Facilities, Types and Locations of Erosion & Sediment Control. Failure to submit updates shall be considered acceptance of the SWPPP as designed with no changes.
- Install perimeter sediment control, and construction exits.
- Perform grading operations and construct storm water BMP.
- Add additional temporary BMPs as necessary during construction based on inspection reports.
- Ensure final stabilization measures are complete.
- Provide digital copy of all Field SWPPP Documentation including Inspection Reports and SWPPP Revisions to the Owner.
- Submit Notice of Termination (NOT) to MPCA. NOTE: The NOT must be submitted to MPCA before Final Stabilization is considered complete.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Lanoli Leichty
LIC. NO. 20846 DATE 02/28/2020



12224 NICOLLET AVENUE
BURNSVILLE, MINNESOTA 55337
Phone: (952) 890-0509
Email: burns@bolton-menk.com
www.bolton-menk.com

REVISION	NO.	REVISION	DATE
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10

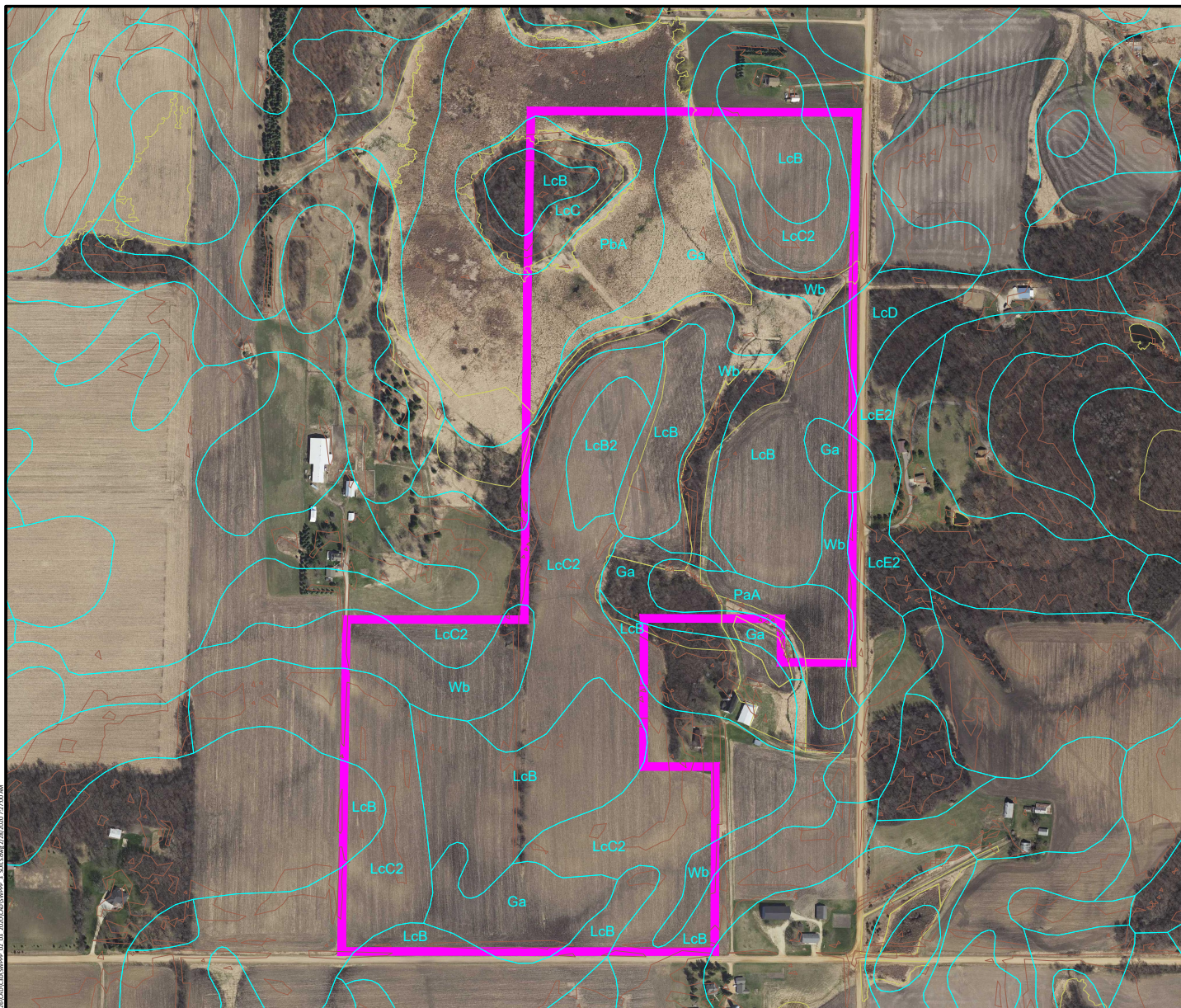
KABES FARM
KUBES REALTY

SWPPP LOCATION MAP & INFORMATION

SHEET
4
OF
6

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 14/KUBES_P01/M3119726/CAD/CLES_SW999 02 03 2020/CAD/SW999 1 P001 INFO MAP.dwg 2/18/2020 7:26:13 AM

SHEET
OF
6



6



SCOTT COUNTY
Natural Resources Department

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8475 • Fax (952) 496-8496 • Web www.co.scott.mn.us

Memo

Date: 3/23/2020
To: Marty Schmitz, Zoning Administrator
From: Megan Tasca, P.E., Natural Resources Department
Subject: PL2020-092 Kabes Farm

The Scott County Natural Resources Department has completed a review of plans sheets 1-5 dated 2/28/20 and a Resource Management Plan dated 2/28/2020 for the Kabes Farm project for conformance with the regulations of Scott County Zoning Ordinance #3, Chapter 6 requirements. Please complete the requested changes and modifications and resubmit for review and approval.

1. The proposed impervious areas in section 4.2.2 and 4.5 of the Resource Management Plan and the SWPPP plan sheet 4 do not match. Please revise.
2. Label the 100-YR HWL of the filtration basin on the Grading and Erosion Control Plans and the cross section detail on sheet 3.
3. Provide calculations showing the filtration basin will draw down within 48 hours.
4. Provide a second run of drain tile within the proposed filtration basin to provide a backup drainage pipe in case of failure of the first and ensure a 48 hour draw down time.
5. Adjust the wipeout text on sheet 1 around the existing 24" culvert. It is hard to see all the contours and labels in that area.
6. Label wetland areas on the grading plans to match the wetland delineation report.
7. Label 100-YR HWLs of all calculated wetland areas on the grading plans.
8. Add some additional contour labels on the grading plans for the existing contours.
9. Is there riprap proposed for the filtration basin EOF? The detail on sheet 3 appears to show a method of additional reinforcement but there are no notes calling out additional methods.
10. Wetlands #1 and #3 are ranked moderate on the MnRAM Assessment for vegetative diversity and require an average buffer width of 35' and a minimum of 25'. Please provide an average buffer width of 35'.
11. Provide the locations of all required conservation easement signage on a plan. This includes at all property boundaries, major changes in direction, and otherwise every 200 feet. Signs can be obtained from Scott County Natural Resources by calling 952-496-8881.

Please note the review of any wetland issues and/or review comments by the Township are not included.

If you have any questions or need clarification of these comments, please feel free to contact us at (952) 496-8881.

Cc: Greg Wagner, Planning
Lani Leichty – Bolton and Menk



SCOTT COUNTY
Environmental Services

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8177 • Fax (952) 496-8496 • Web www.scottcountymn.gov

Memo

Date: March 24, 2020
To: Greg Wagner , Zoning Department
From: Mary VonEschen, Environmental Services Department
Subject: PL2019-0092 Kabes Farm Plat

The Scott County Environmental Services Department has completed a review of the septic system locations and soil boring information for the project located at PID# 039290096, 039290050, & 039290020 in Cedar Lake Township. The septic system information and soil information provided (dated 11/8/2019) appears to be in conformance with the Scott County Subsurface Sewage Treatment System Ordinance #4 and Minn. Rules Chapter 7080. We still need some information before we can finish our review of this application.

1. Is there any drainage field tile on the property? (yes/no) If there is farm drainage tile it must be located on the plat map.

If you have any questions, please contact me at (952) 496-8344



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 · 200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8475 · Fax (952)496-8496 · Web www.co.scott.mn.us

Shimota Acres Rezoning, Preliminary & Final Plat

Request:

- A) Rezoning of 121.83 acres from UER, Urban Expansion Reserve, to UTR-C, Urban Transition Reserve Cluster District.
- B) Preliminary Plat of Shimota Acres consisting of 11 lots and 2 outlots on 121.83 acres.
- C) Final Plat of Shimota Acres consisting of 3 lots and two outlots on 121.83 acres.

Greg Wagner, Principal Planner, is the project manager and is available for questions at 952-496-8360.

General Information:

Applicant:	Jesse Schneider	Site Location:	North of 270 th Street E & West of Jonquil Avenue
Property Owners:	Shimota Family Trust	Township:	Section 25, Cedar Lake
Public Hearing Date:	May 11, 2020	Action Deadline:	June 9, 2020 (60 Day)

Zoning/Comprehensive Plan Information:

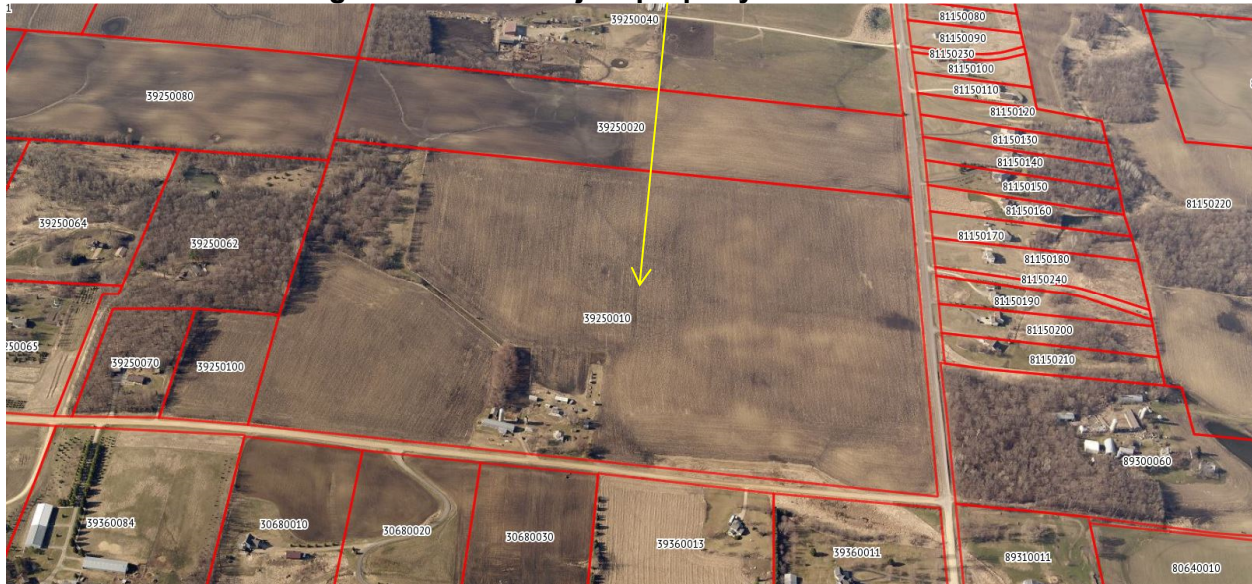
Zoning District:	UTR-C, Urban Transition Reserve Cluster District	Comprehensive Land Use Plan:	Transition Area
Overlay Zoning District:	None	School District:	New Prague #721
Watershed District:	Scott WMO	Fire District:	Elko New Market
Ordinance Sections:	Chapter 34	Ambulance District:	North Memorial

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Preliminary Plat
4. Final Plat
5. Grading, Erosion Control, and SWPPP plans dated January 27, 2020
6. Scott County Environmental Services memo dated April 23, 2020

Request-	Rezoning and Preliminary Plat of Shimota Acres consisting of 11 lots and 2 outlots on 121.83 acres. Final Plat of Shimota Acres consisting of 3 lots and 2 outlots on 121.83 acres.
Comprehensive Plan-	The proposal is in conformance with the goals and policies for development in the Transition Area identified in the Scott County 2040 Comprehensive Plan.
Adjacent Land Use/Zoning-	<u>North</u> – 40 acre agricultural parcel, zoned UER <u>South</u> – 10 acre residential parcels, zoned UER <u>East</u> – 4 acre residential parcels, zoned UER-C <u>West</u> – 5-20 acre residential parcels, zoned RR-1
Existing Conditions-	The 121.83 acres is mostly agricultural land with the existing farmstead on the south end of the parcel. Most of the site drains to the northwest towards a wooded/wetland area.
Ordinance Requirements-	<u>Density</u> – 1 dwelling unit per 10 acres when 70% of non-hydric soils or 80% of non-wetland land are preserved on outlot(s) for future development. <u>Lot Size</u> – 1 acre of non-hydric land to locate the principle dwelling and two (2) individual sewage treatment systems. <u>Lot Width</u> – 100 feet shall be maintained from the front setback line to the primary building site. <u>Structure Setbacks:</u> Front Yard: 100 feet from centerline or 67 feet from right-of-way of a local township road. Side Yard: 15 feet Rear Yard: 30 feet
Proposed Development-	<u>Density</u> – 1 dwelling unit per 11.8 acres. The development preserves 64.5 non-hydric acres (71.5%) on outlot B. <u>Lot Sizes</u> – Lot sizes range from 2.5 acres to 7.3 acres for the existing farmstead. <u>Lot Width</u> – All lots meet the or exceed the 100 foot lot width.
Existing Roads-	The property has frontage on Jonquil Avenue, a paved township road, and 270 th Street East, a gravel township road.
Proposed Roads-	No new roads are proposed. The applicants met with Cedar Lake Township officials to identify shared driveway accesses locations. 3 shared accesses will be permitted off Jonquil Avenue and the existing farmstead access will remain on 270 th Street East.
Public Notice-	Required public hearing notices were sent to property owners within a half-mile of the property.

Site Photo – View looking north at the subject property.



Background & Zoning Analysis:

Jesse Schneider, applicant, representing the Shimota Family Trust, property owners, are proposing to subdivide 121.83 acres into eleven residential lots, ranging from 2.46 to 7.35 acres, and two outlots. The property is located in section 29 of Cedar Lake Township and is zoned Urban Expansion Reserve District, UER. In 2019 the property was re-guided in the 2040 Comprehensive Plan from the Urban Expansion Area to the Transition Area, which now allows the property owners to request a rezoning to the Urban Transition Reserve Cluster, UTR-C, zoning district.

The 121.83-acre property consists of primarily open agricultural land surrounding the existing Shimota Family farmstead. The site's rolling topography drains mostly to the northwest towards a wooded and wetland area that continues to the west. The applicants propose to split off the existing farmstead on a 7.35-acre lot, and then create 10 new residential lots, ranging from 2.46 acres to 2.86 acres, along Jonquil Avenue, a paved township road. The applicants propose to plat the development in phases with the first phase includes a lot for the existing farmstead and then the two northernmost lots along Jonquil Avenue. The remainder of the preliminary plat lots will be platted as Outlot A with the first phase and then subsequent phases will be platted within the next 5 years as allowed by the County Subdivision Ordinance through an approved preliminary plat and development agreement.

To qualify for the UTR-C rezoning the development must preserve at least 70% of the site's non-hydric soils or 80% of the parcel's non-wetland land on an Outlot reserved for future development. As proposed the applicants are proposing to preserve 64.5 non-hydric acres (71.5%) on Outlot B. A ghost plat concept is shown on the preliminary plat showing how the site could develop upon annexation and future urban land use allowed. Outlot A, on the preliminary plat, is shown as a possible future road connection to Jonquil Avenue, and is located across from Outlot C, Harvest Creek 1st Addition, which would make a future intersection when this area further develops. This development will be similar to the Harvest Creek development on the east side of Jonquil Avenue platted in 2005.

All lots meet the minimum 1-acre non-hydric lot size and are showing a proposed home location that meets required structure setbacks. The plat also identifies two septic sites on each proposed lot, including a replacement and future alternate septic site for the existing farmstead.

Most of the existing agricultural buildings on the farmstead parcel are old or in disrepair and will be removed by the landowner. Demolition permits are required for any structure removal. Outlot B will continue to be used for agricultural purposes until future development of the parcel.

Roads & Access:

The applicants met with Cedar Lake Township representatives in 2019 to evaluate the site driveway access locations. Jonquil Avenue is a shared township road between Cedar Lake and New Market Townships as it is the township boarder. Jonquil Avenue was paved by the developer of the Harvest Creek subdivision in 2005 from County Road 2 to 270th Street East. Cedar Lake Township is requiring that the 10 lots on Jonquil Avenue utilize 3 shared driveway accesses to limit the total number of driveways and culverts placed in the road ditches. Private access easement agreements will be required for each shared access and will need to be recorded with the plat.

Natural Resources/Stormwater Management:

(Please note the grading plans attached to this report have not been updated to reflect a lot combination on the south end of the project. A natural gas line and associated easement were discovered running through the corner of Lot 1, Block 1 where the septic sites are shown. The applicants have elected to combine the southernmost two lots, which is reflected on the attached preliminary plat; however, the project engineer is awaiting County Water Resources Engineer review comments before making changes to the grading plans. Since this is a lot combination, and reduction of 1 lot, it does not impact the remainder of the development).

Grading and Erosion Control plans were submitted along with a Resource Management Plan (RMP) that address site stormwater management. Most of the site drains to the north and west towards a large wetland complex, and other areas drain towards smaller wetlands and the township road ditch system. No new roads will be constructed so the only new impervious surface will be the new homes and driveways. The cumulative total of the new homes and driveways is over 1 acre of new impervious surface, so the applicants are constructing two infiltration basins on Lot 1, Block 1 and Lot 7, Block 1 (preliminary plat lot numbering).

Drainage and erosion control for the individual homes and septic sites will be reviewed independently at time of building and septic permits. All wetlands on the parcel have had the boundaries delineated and a MnRAM qualitative assessment was completed. Conservation Easements will be dedicated over the wetlands and required buffer areas that protect the wetlands from land disturbances; however, these areas can still be used for agricultural production until the lots are changed to residential. All requirements of Scott County Natural Resources review are listed as a condition of plat approval to be satisfied prior to County Board consideration, and conservation easements will be recorded with the final plat.

Environmental/Septic:

Scott County Environmental Services staff has reviewed the submitted plat soils information and have approved the plat and septic drainfield locations. The septic locations referenced in the location of the natural gas line easement are no longer proposed as that lot has been combined and the site outside of the easement are being used for that lot.

Township Recommendation:

Cedar Lake Township was provided the plat application information ahead of their May 2020 monthly meeting. A copy of their recommendation will be provided at the public hearing.

The Cedar Lake Township Attorney will be drafting a three-way development agreement (Developer, Township, County) to encapsulate all plat requirements, fees, phasing, and improvements.

Staff Recommendation:

Based on the project information submitted by the applicant, the proposed preliminary plat conforms to the Zoning and Subdivision Ordinances. Therefore, staff recommends approval of the preliminary plat based on the criteria for approval listed below:

Conditions to be Satisfied Prior to County Board Consideration:

1. Any conditions stated in the Scott County Natural Resources Department review of the preliminary plat, grading plans, and resource management plan. Conservation Easements shall be dedicated in conjunction with the Final Plat.
2. Any conditions listed in the Cedar Lake Township recommendation and in the Township Engineer's review of the plat and project plans.
3. A three-way (developer, township, county) development is drafted by the township attorney.
4. Payment of all Cedar Lake Township and Scott County Final Plat Fees

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat will meet all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance prior to County Board consideration.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – The proposed lots will have frontage and shared accesses off Jonquil Avenue, a paved Cedar Lake/New Market Township road, and the existing farmstead off 270th Street East, a gravel Cedar Lake Township road.
4. *Adequate Waste Disposal Systems* – the proposed lots meet all requirements of the individual sewage treatment system ordinance.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Transition Area in Cedar Lake Township.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lots will utilize the existing Township road for access.
7. *Consistency with the Minnesota Environmental Quality Board's Policies*- the project falls below the 80 acres of changed land use threshold for requiring an Environmental Assessment Worksheet.
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore it is consistent with the County's capital improvement plan.

Planning Advisory Commission/Township Alternatives:

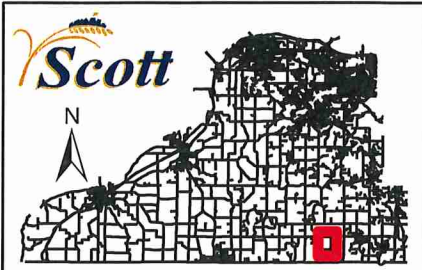
1. Approve the request as recommended by Zoning staff with the specified conditions.

2. Approve the request as recommended by the Zoning staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Motion for Planning Advisory Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the rezoning, preliminary plat, and final plat of Shimota Acres noting that this recommendation is subject to the conditions listed that must be satisfactorily addressed prior to County Board consideration of the project.

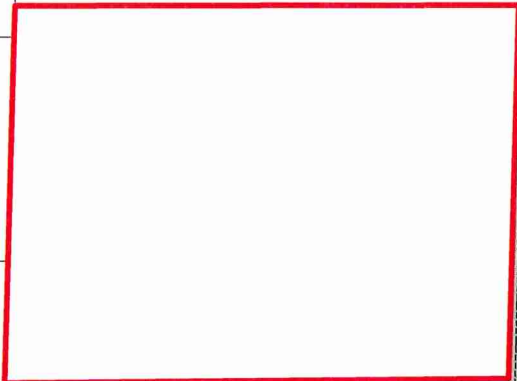
**CEDAR LAKE TOWNSHIP
SECTION 25
SHIMOTA FAMILY TRUST
REQUEST FOR
PRELIMINARY PLAT**



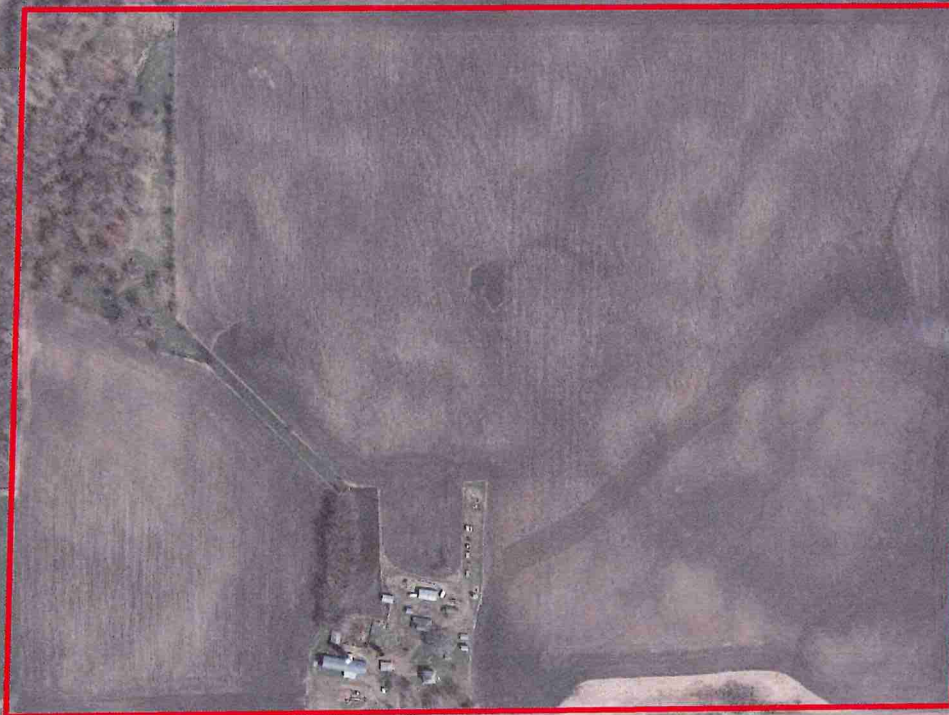
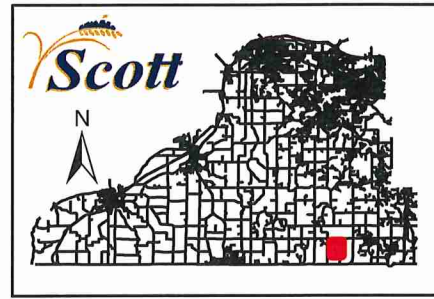
260th Street East

Jongkui Avenue

270th Street East



**CEDAR LAKE TOWNSHIP
SECTION 25
SHIMOTA FAMILY TRUST
REQUEST FOR
PRELIMINARY PLAT**



270th Street East

Jonquil Avenue

SHIMOTA ACRES

PRELIMINARY PLAT

PIN: 039250010

DESCRIPTION OF RECORD

The South one-half of the Southeast quarter (S 1/2 of SE 1/4), and the South one-half of the North one-half of the Southeast quarter (S 1/2 of N 1/2 of SE 1/4), Section Twenty-five (25) Township One hundred thirteen (113), Range Twenty-two (22) West, Scott County, Minnesota.

UTILITY & SITE DATA

ZONING: UER URBAN EXPANSION RESERVE ZONING DISTRICT

SETBACKS:

Front Yard 150' Centerline of County/State Road or 100' County/State Road Right of Ways, whichever is greater.
100' Centerline of Local Public Street or 67' Local Public Street Right of Way, whichever is greater.
Lots under 2 acres: 35' From Local Street Right of Way, 100' from the Right of way on other public roads.

Side Yard 30' Lots of record less than 2 acres, 15'.
Rear Yard 60' Lots of record less than 2 acres, 30'.

PRINCIPLE BUILDING HEIGHT:

35'

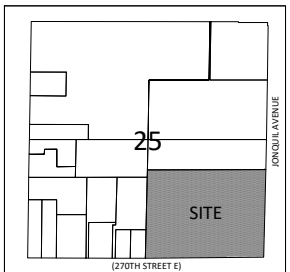
IMPERVIOUS SURFACE LOT COVERAGE:

No more than 25% of the lot.

AREAS FOR LOT & HYDRIC SOILS

	HYDRIC	NON-HYDRIC	TOTAL
Lot 1 Block 1	0.774	1.686	2.461
Lot 2 Block 1	0.421	2.039	2.461
Lot 3 Block 1	0.668	1.798	2.467
Lot 1 Block 2	3.760	3.586	7.346
Lot 1 Block 3	0.755	4.658	4.928
Lot 2 Block 3	0.000	2.550	2.550
Lot 3 Block 3	0.000	2.550	2.550
Lot 4 Block 3	0.016	2.534	2.550
Lot 5 Block 3	0.724	1.826	2.550
Lot 6 Block 3	0.913	1.636	2.550
Lot 7 Block 3	1.173	1.479	2.653
Outlot A	0.000	0.000	0.895
Outlot B	0.000	0.000	81.123
270TH STREET ROW	0.000	0.000	1.998
JONQUIL AVENUE	0.000	0.000	2.256
TOTALS			121.825 Acres

CEDAR LAKE TOWNSHIP SCOTT COUNTY



VICINITY MAP

SECTION 25-113-22
NOT TO SCALE

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Jesse Schneider
Jesse Schneider
License Number 19789
4/01/2020
Date

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 19789
- MONUMENT FOUND
- CLUTV
- CLUTV END
- MARKER GAS
- OVERHEAD ELECTRIC
- GAS VALVE
- HYDRIC SOILS
- WETLAND
- PROPOSED HOUSE & DRIVEWAY
- PROPOSED SEPTIC DRAINFIELD
- GROUND WATER ELEVATION



PRELIMINARY PLAT CEDAR LAKE TOWNSHIP, SCOTT COUNTY, MINNESOTA

1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 432-4171

THE S 1/4 OF THE SE 1/4 OF SECTION 25,
TOWNSHIP 113 NORTH, RANGE 22 WEST,
CEDAR LAKE TOWNSHIP, SCOTT COUNTY,
MINNESOTA

FOR: JESSE SCHNEIDER
SHIMOTA FAMILY TRUST

JOB NUMBER: M33118685 FIELD BOOK: 99E PG 31

DRAWN BY: JLA

11.0 525-113N-R22W

SHIMOTA ACRES

CENTER
SECTION 25-113-22
INTERSECT OF QUARTER CORNERS

E 1/4 CORNER
SECTION 25-113-22
IRON MONUMENT

NW CORNER
 $S \frac{1}{2} - N \frac{1}{2} - SE \frac{1}{4}$

NOTE: TREE AT CORNER
IRON PIPE IS SET 0.5 EAST

DRAINAGE & UTILITY EASEMENTS
ARE SHOWN THUS:
BEING 5 IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING EXTERIOR BOUNDARY LOT LINES AS SHOWN ON THE PLAT UNLESS OTHERWISE NOTED.

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 19789 MONUMENT FOUND
- MONUMENT FOUND

Horizontal Datum: Scott County Coordinate System NAD83, 1996 Adjustment

OUTLOT B

SEC. 25-113-22

OUTLOT A

BLOCK 1

BLOCK 2

270TH STREET EAST

JONQUIL AVENUE

HARVEST CREEK FIRST ADDITION

CEDAR LAKE TOWNSHIP
SCOTT COUNTY

VICINITY MAP
SECTION 25-113-22
NOT TO SCALE

INSTRUMENT OF DEDICATION

Know all persons by these presents: that Irene Jindra as Trustee of the Shimota Family Trust, dated _____, owner of the following described property situated in the County of Scott, State of Minnesota:

The South one-half of the Southeast quarter ($S \frac{1}{2}$ of $SE \frac{1}{4}$), and the South one-half of the North one-half of the Southeast quarter ($S \frac{1}{2}$ of $N \frac{1}{2}$ of $SE \frac{1}{4}$), Section Twenty-five (25) Township One hundred thirteen (113), Range Twenty-two (22) West, Scott County, Minnesota.

has caused the same to be surveyed and platted as SHIMOTA ACRES and do hereby donate and dedicate to the public for public use forever the Street and Avenue and also dedicate the easements as shown on this plat for drainage and utility purposes only.

In witness whereof, said Irene Jindra, Trustee of the Shimota Family Trust, dated _____, have hereunto set her hands this ____ day of _____, 2020.

Irene Jindra as Trustee of the Shimota Family Trust, dated _____,

NOTARY CERTIFICATES

State of Minnesota
County of _____

The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by Irene Jindra as Trustee of the Shimota Family Trust, dated _____,

_____, Notary Public,
State of Minnesota.
My Commission Expires _____.

SURVEYOR'S CERTIFICATE

I, Rory J. Jensen, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet land, as defined in Minnesota Statutes, Section 505.01, Sub. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 2020.

Rory Jensen, Land Surveyor
Minnesota License Number 19789

NOTARY'S CERTIFICATE

State of Minnesota
County of _____

The foregoing instrument was acknowledged before me, this ____ day of _____, 2020 by Rory Jensen, Land Surveyor, Minnesota License Number 19789.

_____, Notary Public
State of _____
My Commission Expires _____.

APPROVALS

This plat was approved and accepted by the Town Board of Cedar Lake Township this ____ day of _____, 2020, and is in compliance with the provisions of Minnesota Statutes, Section 505.01, Sub. 2.

Clerk _____ Chairperson _____

Be it known that on this ____ day of _____, 2020, Board of Commissioners of Scott County, Minnesota did duly approve this plat of SHIMOTA ACRES.

Scott County Administrator _____

I hereby certify that I have examined this plat of SHIMOTA ACRES and do hereby recommend this plat for approval as to form this ____ day of _____, 2020.

Scott County Attorney _____

Pursuant to Minnesota Statutes, Chapter 389.09, Sub. 1, as amended, this plat has been reviewed and approved this ____ day of _____, 2020.

Scott County Surveyor _____

COUNTY AUDITOR AND TREASURER

I hereby certify that the current and delinquent taxes on the lands described within are paid and the transfer is entered this ____ day of _____, 2020.

Scott County Auditor _____ Scott County Treasurer _____

Deputy _____

COUNTY RECORDER

I hereby certify that this plat was filed in this office this ____ day of _____, 20____, O'Clock ____ M., as Document Number _____.

Scott County Recorder _____

THIS PLAT PREPARED BY BOLTON & MENK, INC.

Scott County Recorder



NOTES:

- 1) THE EROSION CONTROL PLANS WILL BE HANDLED AT THE TIME OF BUILDING PERMITS BEING REVIEWED FOR EACH LOT.
- 2) SEED THE SEDIMENT BASIN WITH MN/DOT TYPE 33-261 SEED AT 35 LB/AC. ABOVE THE POND NWL.
- 3) INSTALL MN/DOT 3885 CATEGORY 3 TEMPORARY STRAW FIBER EROSION CONTROL BLANKET ON THE FILTRATION BERMS.

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY REG. NO. 19789
- * 1008.00 SPOT ELEVATION
- PROPOSED DRAINAGE DIRECTION
- UTILITY OVERHEAD
- - - INTERMEDIATE CONTOURS
- - - INDEX CONTOURS
- - - SILT FENCE
- ▨ HYDRIC SOILS
- ▨ 25' WETLAND BUFFER

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Laol Leichthy
LAOL LEICHTY
LIC. NO. 20846 DATE 01/27/2020



12224 NICOLLET AVENUE
BURNSVILLE, MINNESOTA 55337
Phone: (952) 890-0509
Email: BurnsVille@bolton-menk.com
www.bolton-menk.com

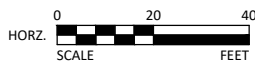
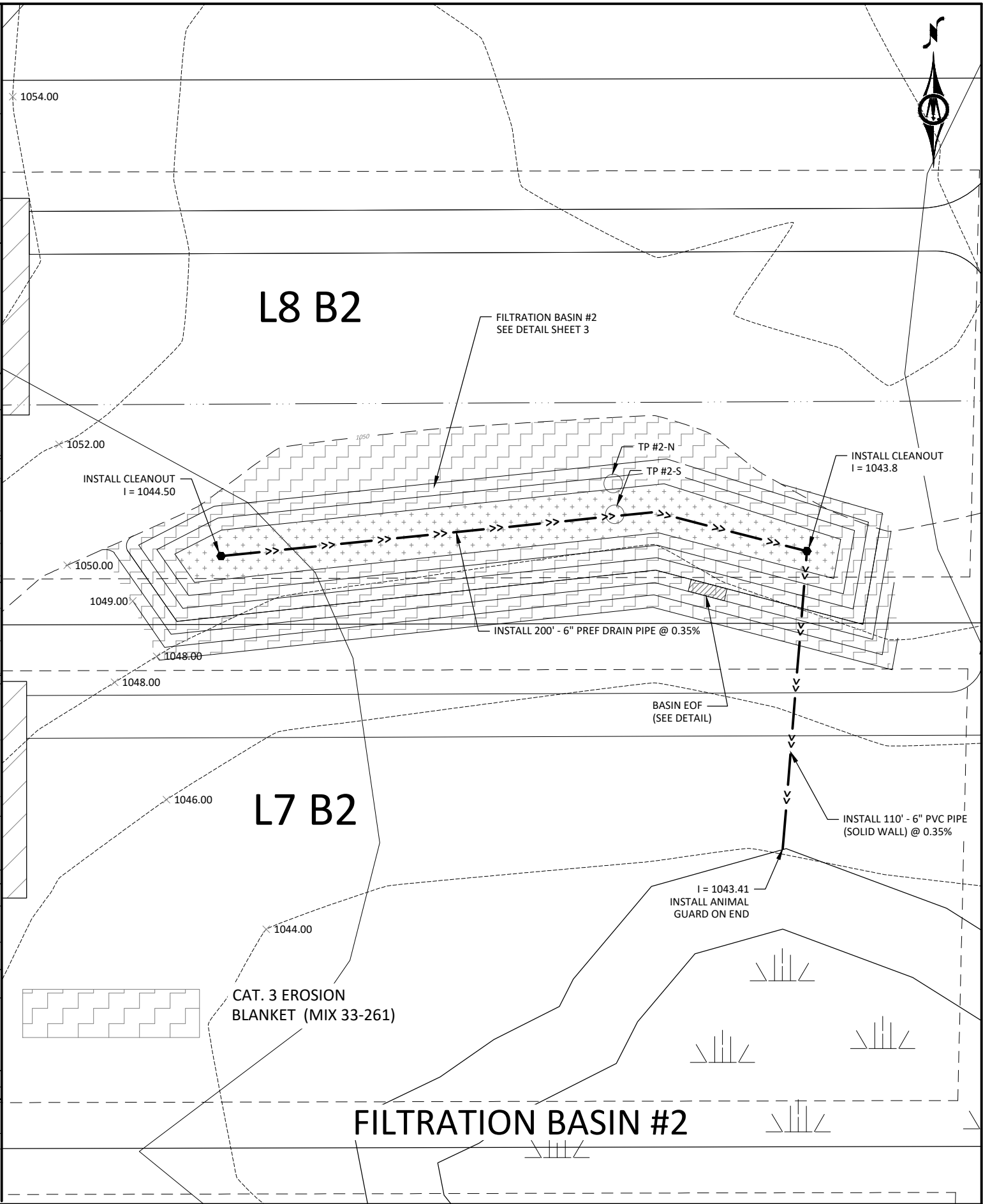
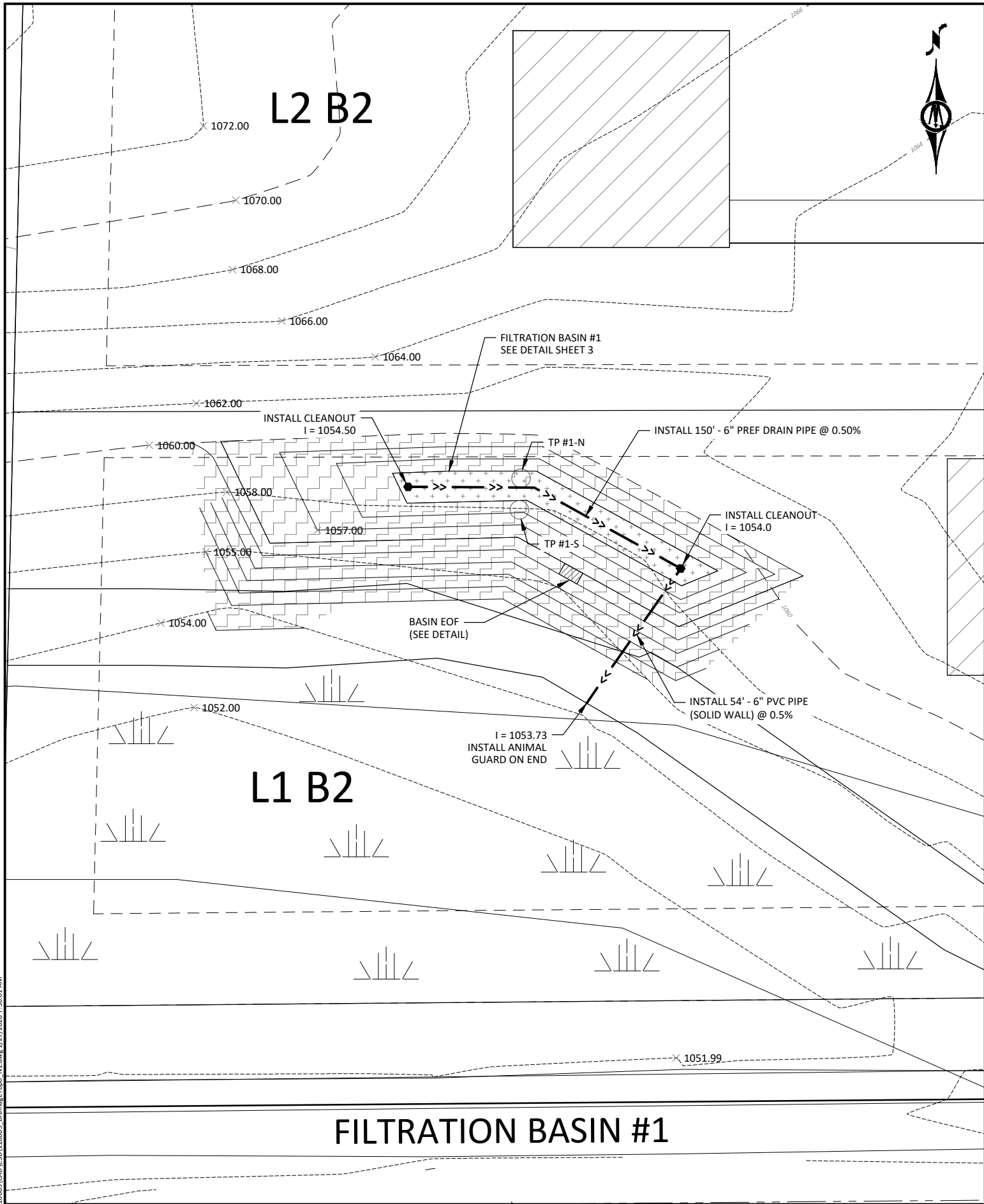
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LLL			
DRAWN			
JLW			
CHECKED			
LLL			
CLIENT PROJ. NO.			
M33.118685			

SHIMOTA DEVELOPMENT
11 LOT SUBDIVISION
GRADING AND EROSION CONTROL PLAN

SHEET
2
OF
7

0 50 100
HORIZ. SCALE FEET

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

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LIC. NO. 20846 DATE 01/27/2020

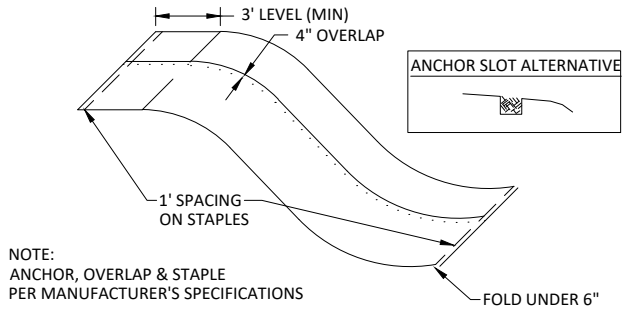


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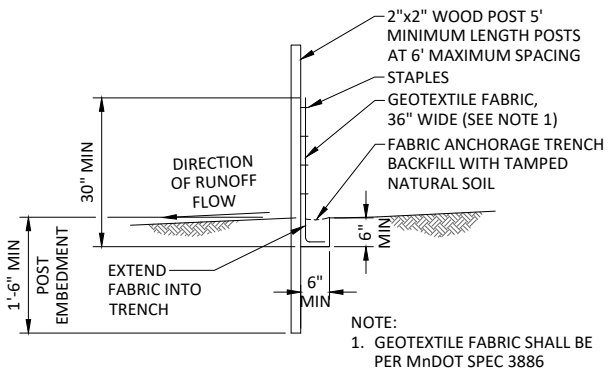
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DRAWN			
JLW			
CHECKED			
LLL			
CLIENT PROJ. NO.			
M33.118685			

SHIMOTA DEVELOPMENT
11 LOT SUBDIVISION
FILTRATION BASIN - 1 & 2

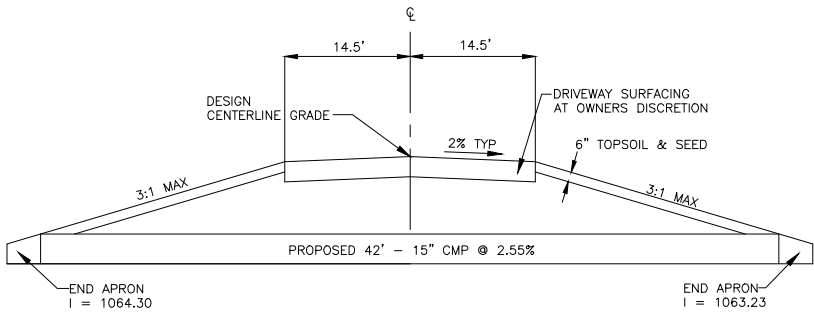
SHEET
3
OF
7



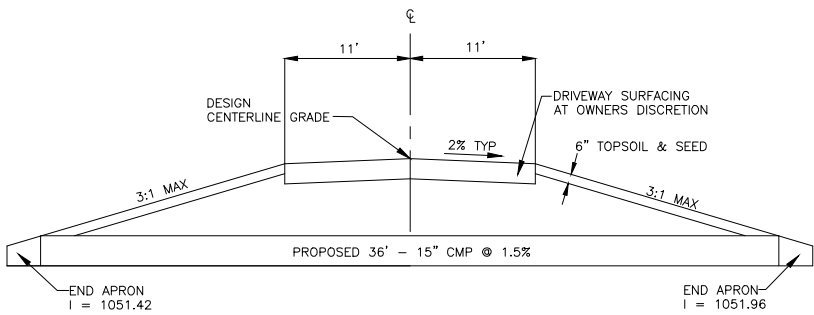
EROSION CONTROL BLANKET INSTALLATION
NOT TO SCALE



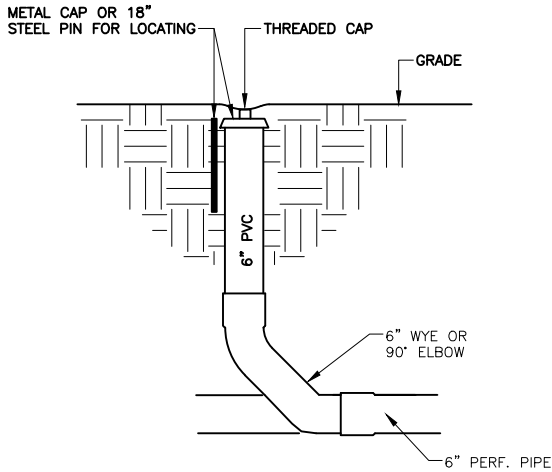
SILT FENCE - PREASSEMBLED
NOT TO SCALE



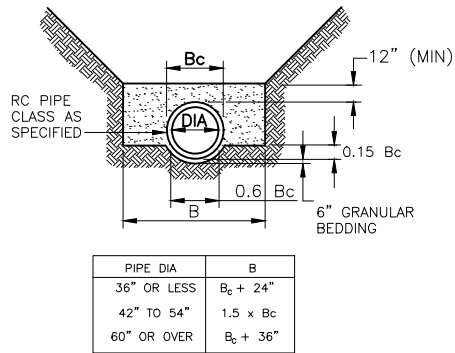
PROPOSED DETAIL "A" 15" CMP CULVERT



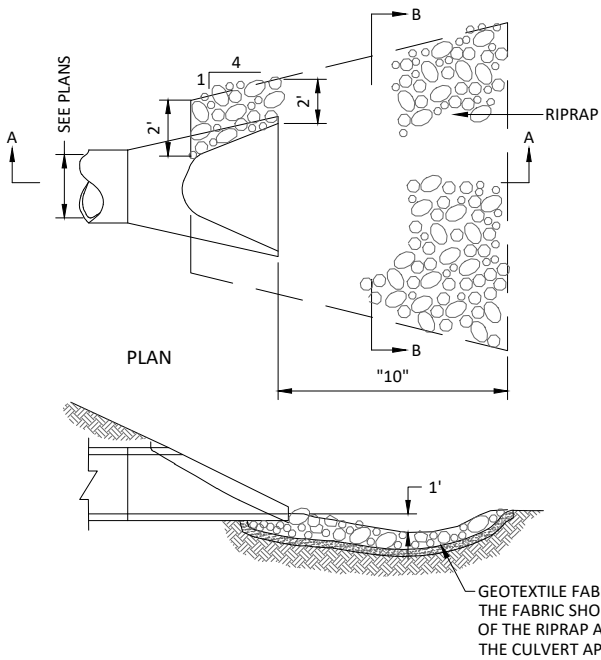
PROPOSED DETAIL "B" 15" CMP CULVERT



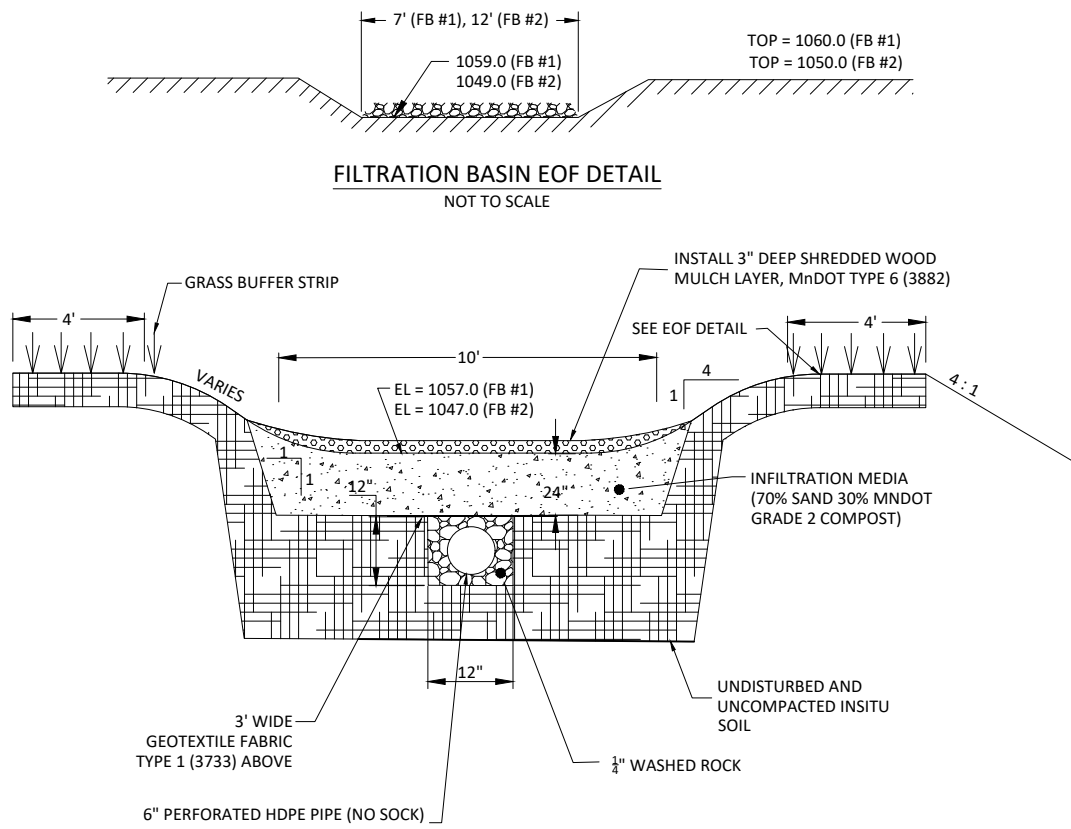
SUBSURFACE DRAIN CLEANOUT
NOT TO SCALE



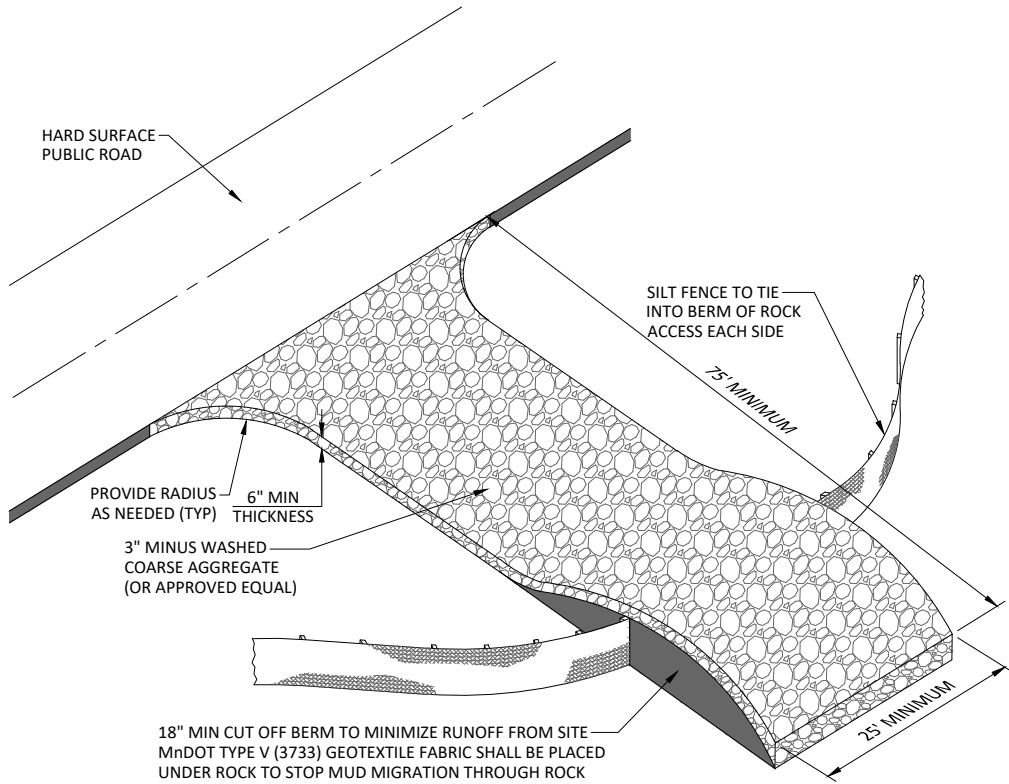
CMP PIPE
CLASS "B" BEDDING
NOT TO SCALE



RIPRAP AT RCP CULVERT END
NOT TO SCALE



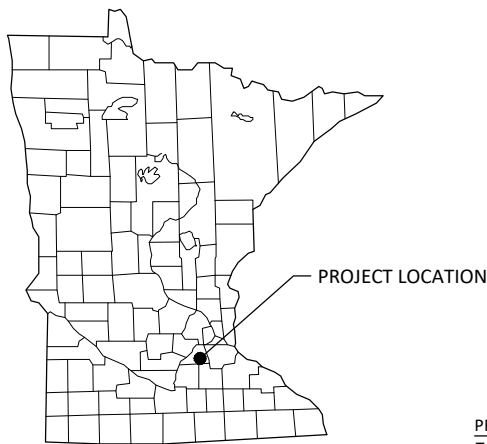
FILTRATION BASIN CROSS-SECTION
NOT TO SCALE









ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE

STORMWATER
POLLUTION PREVENTION
PLAN (SWPPP)

SHIMOTA ACRES
CEDAR LAKE TOWNSHIP
SCOTT COUNTY, MINNESOTA



LEGEND

	1-MILE BOUNDARY
	PROJECT BOUNDARY
 OR 	IMPAIRED, SPECIAL OR PROTECTED WATERS
	NATIONAL WETLANDS INVENTORY
	CALCAREOUS FEN
	RECEIVING WATERS

PROJECT AREAS:

Total Project Size (disturbed area) =	0.0	ACRES
Existing area of impervious surface =	0.0	ACRES
Post construction area of impervious surface =	3.0	ACRES
Total new impervious surface area created =	3.0	ACRES

Planned Construction Start Date:	<u>XX/XX/XXXX</u>
Estimated Construction Completion Date:	<u>XX/XX/XXXX</u>

PERMANENT STORMWATER MANAGEMENT SYSTEM:

Type of storm water management used if more than 1 acre of new impervious surface is created:

	Wet Sedimentation Basin
X	Infiltration/Filtration
	Regional Pond
	Permanent Stormwater Management Not Required

PROJECT LOCATION:

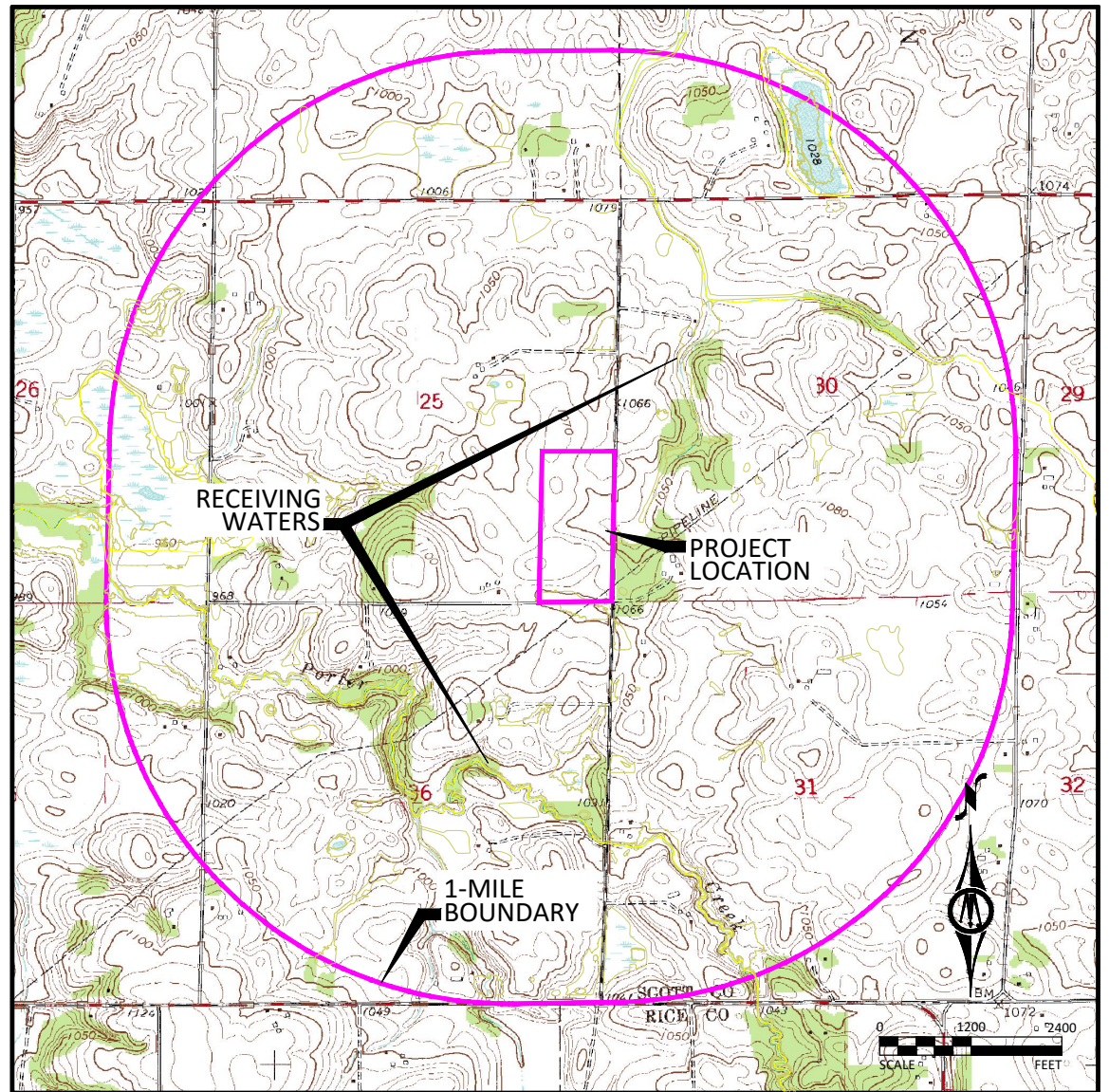
COUNTY	TOWNSHIP	RANGE	SECTION	LATITUDE	LONGITUDE
SCOTT	T113N	R22W	25	44.562598°	-93.400855°

[illegible]

DESCRIPTION OF CONSTRUCTION ACTIVITIES AND STORMWATER MANAGEMENT:

Construction activities include: Site grading, gravel driveway construction, filtration basins, temporary erosion and sediment control, and permanent stabilization.

The proposed site improvements include house pads, driveways and adding two filtration basins to meet stormwater management requirements. The existing drainage patterns will remain the same after this development is constructed.



RECEIVING WATERS:

Receiving waters, including surface water, wetlands, Public Waters, and stormwater ponds, within 1-mile of the project boundary are identified on the USGS 7.5 min quad map above. Receiving waters that are impaired, the impairment, and WLA are listed as follows. All specific BMPs relative to construction activities listed in the permit for special, prohibited, restricted, or impaired have been incorporated into this plan. All specific BMPs listed in approved TMDLs and those BMPs listed for construction related waste load allocations have also been incorporated.

NAME OF WATER BODY	TYPE (ditch, pond, wetland, lake, etc.)	Special, Prohibited, Restricted Water ¹	Flows to Impaired Water Within 1-Mile ²	USEPA Approved Construction Related TMDL ³
Porter Creek	Creek	No	Yes	Yes
Unnamed Wetlands	Wetland	No	No	No
Impairments: Turbidity				

¹ Special, prohibited, and restricted waters are listed in Section 23 of the MN Construction Stormwater General Permit (MNR100001).

² Identified as impaired under section 303 (d) of the federal Clean Water Act for phosphorus, turbidity, TSS, dissolved oxygen, and/or aquatic biota.

³ Construction Related TMDLs include those related to: phosphorus, turbidity, TSS, dissolved oxygen, and/or aquatic biota.


IMPLEMENTATION SCHEDULE AND PHASING: The Contractor is required to provide an updated schedule and site management plan meeting the minimum requirements of Section 1717 of the Minnesota Standard Specifications for Construction.

- 1) Submit SWPPP Updates to Engineer. Submittal shall include any requested changes to the SWPPP, including but not limited to: Trained Personnel, Locations for Stockpiles, Concrete Washout, Sanitation Facilities, Types and Locations of Erosion & Sediment Control. Failure to submit updates shall be considered acceptance of the SWPPP as designed with no changes.
- 2) Install perimeter sediment control and construction exit.
- 3) Perform grading operations and stormwater BMPs.
- 4) Add additional temporary BMPs as necessary during construction based on inspection reports.
- 5) Ensure final stabilization measures are complete.
- 6) Provide digital copy of all Field SWPPP Documentation including Inspection Reports and SWPPP Revisions to the Owner.
- 7) Submit Notice of Termination (NOT) to MPCA. NOTE: The NOT must be submitted to MPCA before Final Stabilization is considered complete.

m	DESIGNED	NO.	ISSUED FOR	DATE	SHIMOTA ACRES 11 LOT SUBDIVISION SWPPP INFORMATION	SHEET 5 OF 7
	LLL					
	DRAWN					
	LLL					
	CHECKED					
	LLL					
	CLIENT PROJ. NO. M33.118685					

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.


Lanol Leichthy

LIC. NO. 20846 DATE 01/27/2020



12224 NICOLLET AVENUE
BURNSVILLE, MINNESOTA 55337
Phone: (952) 890-0509
Email: Burnsville@bolton-menk.com
www.bolton-menk.com

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Information contained in this SWPPP narrative sheet summarizes requirements of the GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM PROGRAM - Permit No: MN RI00001 (Permit) as they apply to this project. All provisions of the Permit including those not specifically cited herein shall apply to this project. The Contractor is responsible to be familiar with and comply with all conditions of the permit. The full text of the Permit is available at: <https://www.pca.state.mn.us/sites/default/files/wq-strm2-80a.pdf>

SWPPP AMENDMENTS AND SUBMITTALS

Contractor must prepare and submit to the Engineer a SWPPP amendment as necessary to include additional Best Management Practices (BMPs) to correct problems identified or address the following situations.

- Contact information and training documentation for Construction SWPPP Manager and BMP Installer,
- There is a change in construction method of phasing, operation, maintenance, weather or seasonal conditions not anticipated during the design of the SWPPP including but not limited to:
 - Types and/or Locations of BMPs
 - Material Storage and Spill Response
 - Fueling Plans
 - Locations for Stockpiles, Concrete Washout, and Sanitation Facilities and
 - Project Phasing
- It is determined that the SWPPP is not achieving objectives of minimizing pollutants in stormwater discharges associated with construction activity, or
- The SWPPP is not consistent with the terms and conditions of the permit.

The Contractor may implement SWPPP amendments immediately and is not required to wait for Engineer review of the submittal. The responsibility for completeness of SWPPP amendments and compliance with the Permit lies with the Contractor. Review, comment, or lack of comment by the Engineer on a SWPPP amendment shall not absolve the responsibilities of the Contractor in any way.

If a change order is issued for a design change the SWPPP amendment will be prepared by the Engineer and included in the change order.

In addition to SWPPP amendments, the Contractor shall submit to the Engineer Weekly Erosion and Sediment Control Schedule meeting the requirements of MnDOT 1717.

The Contractor shall keep copies of all SWPPP amendments, Weekly Erosion and Sediment Control Schedules, inspection logs, and maintenance logs with the field copy of the SWPPP. A PDF copy of these documents will be provided along with a copy of the final Field Copy of the SWPPP to the Engineer along with the signed Notice of Termination when final stabilization is complete.

EROSION PREVENTION PRACTICES

Stormwater conveyance channels shall be routed around unstabilized areas. Erosion controls and velocity dissipation devices shall be used at outlets within and along the length of any constructed conveyance channel.

The normal wetted perimeter of all ditches or swales, including storm water management pond slopes, that drain waters from the site must be stabilized within 200' of any property edge or discharge point, including storm sewer inlets, within 24 hours of connection.

Temporary or permanent ditches or swales used as sediment containment during construction do not need to be stabilized during temporary period of use and shall be stabilized within 24 hours after no longer used as sediment containment.

Mulch, hydromulch, tackifier, or similar practice shall not be used in any portion of the wetted perimeter of a temporary or permanent drainage ditch or swale section with a continuous slope of greater than 2 percent.

Energy dissipation shall be installed at all temporary or permanent pipe outlets within 24 hours of connection to a surface water or permanent stormwater treatment system.

The Contractor shall phase construction and use construction methods to the extent practical to minimize exposed soils. The project phasing shall be documented in the Weekly Erosion and Sediment Control Schedule.

SEDIMENT CONTROL PRACTICES

Down gradient BMPs including perimeter BMPs must be in place before up gradient land- disturbing activities begin and shall remain in place until final stabilization.

All BMPs that have been adjusted or removed to accommodate short-term activities shall be re-installed or replaced the earlier of the end of the work day or before the next precipitation event even if the activity is not complete.

Inlet BMPs may be removed for specific safety concerns. The BMPs shall be replaced as soon as the safety concern is resolved. The removal shall be documented in the SWPPP as a SWPPP amendment.

Temporary stockpiles must have sediment control BMPs. The Contractor shall prepare and submit to the Engineer a SWPPP amendment showing the location of temporary stockpiles and the BMPs for each stockpile. The SWPPP amendment must meet the minimum requirements of Section 9 of the Permit.

Soil compaction shall be minimized and topsoil shall be preserved, unless infeasible or if construction activities dictate soil compaction or topsoil stripping.

The use of polymers, flocculants, or other sedimentation treatment chemicals are not proposed as part of this SWPPP as designed by the Engineer. If methods or phasing of construction require the use of any of these chemicals, the Contractor shall prepare and submit to the Engineer a SWPPP amendment that meets the minimum requirements of Section 9 of the Permit.

TEMPORARY SEDIMENTATION BASINS

A temporary sedimentation basin has not been included in this SWPPP as designed by the Engineer. If a basin is later determined to be desirable or necessary the Contractor shall prepare and submit to the Engineer a SWPPP amendment. Temporary sedimentation basins shall meet or exceed the minimum requirements of Section 14 of the Permit and shall include a basin draining plan meeting or exceeding the minimum requirements of Section 10 of the Permit. Where the site discharges to Special and/or Impaired Waters the SWPPP amendment shall also meet or exceed the minimum requirements of Section 23 of the permit.

DEWATERING

A dewatering plan has not been included in this SWPPP as designed by the Engineer. If dewatering is required for this project, the Contractor shall prepare and submit to the Engineer a SWPPP amendment. All dewatering shall meet or exceed the minimum requirements of Section 10 of the Permit.

POLLUTION PREVENTION

Products and materials that have the potential to leach pollutants that are stored on the site must be stored in a manner designed to minimize contact with stormwater. Materials that are not a source of potential contamination to stormwater or that are designed for exposure to stormwater are not required to be covered.

Hazardous materials including but not limited to pesticides, fertilizer, petroleum products, curing compounds and toxic waste must be properly stored and protected from stormwater exposure as recommended by the manufacturer in an access restricted area.

Solid waste must be stored, collected and disposed of in compliance with Minnesota Administrative Rules Chapter 7035.

Portable toilets must be positioned so that they are secure and will not be tipped or knocked over. Sanitary waste must be disposed of properly in accordance with Minn. R. CH 7041.

Exterior vehicle or equipment washing on the project site shall be limited to a defined area of the site. No engine degreasing is allowed on site. A sign must be installed adjacent to each washout facility that requires site personnel to utilize the proper facilities for disposal of concrete and other washout wastes.

The Contractor shall prepare and submit a SWPPP amendment detailing the location and BMPs proposed for storage of materials, solid waste, portable toilets, and exterior vehicle or equipment washing on the site. The SWPPP amendment shall include a spill prevention and response plan that is appropriate for the materials proposed to be on the site. The SWPPP amendment shall meet or exceed the minimum requirements of Section 12 of the Permit.

INSPECTION & MAINTENANCE

A trained person shall routinely inspect the entire construction site at the time interval indicated on this sheet of the SWPPP during active construction and within 24-hours after a rainfall event greater than 0.5 inches in 24 hours. Following an inspection that occurs within 24-hours after a rainfall event, the next inspection must be conducted at the time interval indicated in the Receiving Waters Table found on the SITE PLAN AND INFORMATION SHEET of the SWPPP.

All inspections and maintenance conducted during construction must be recorded on the day it is completed and must be retained with the SWPPP. Inspection report forms are available in the Project Specifications. Inspection report forms other than those provided shall be approved by the engineer.

The Contractor may request a change in inspection schedule for the following conditions:

- Inspections of areas with permanent cover to be reduced to once per month,
- Inspections of areas that have permanent cover and have had no construction activity for 12 months to be suspended until construction resumes,
- Inspections of areas where construction is suspended due to frozen ground conditions, inspections to be suspended until the earlier of within 24 hours of runoff occurring, or upon resuming construction.

No change in inspection schedule shall occur until authorized by the Engineer.

Inspections must include:

- All erosion prevention and sediment control BMPs and Pollution Prevention Management Measures to ensure integrity and effectiveness.
- Surface waters, including drainage ditches and conveyance systems for evidence of erosion and sediment deposition.
- Construction site vehicle exit locations, streets and curb and gutter systems within and adjacent to the project for sedimentation from erosion or tracked sediment from vehicles.
- Infiltration areas to ensure that no sediment from ongoing construction activity is reaching the infiltration area and that equipment is not being driven across the infiltration area.

All non-functioning BMPs and those BMPs where sediment reaches one-half (1/2) of the depth of the BMP, or in the case of sediment basins one-half (1/2) of the storage volume, must be repaired, replaced, or supplemented by the end of the next business day after discovery, or as soon as field conditions allow.

Permittees must repair, replace or supplement all nonfunctional BMPs with functional BMPs by the end of the next business day after discovery, or as soon as field conditions allow.

Any sediment that escapes the site must be removed and the area stabilized within 7 calendar days of discovery unless precluded by legal, regulatory, or physical access in which case the work shall be completed within 7 calendar days of authorization. Paved surfaces such as streets shall have any escaped or tracked sediment removed by the end of the day that it is discovered. Sediment release, other than paved surfaces that can be cleaned up with street sweeping shall be reported immediately upon discovery to the Engineer.

PUBLIC WATER RESTRICTIONS:

For public waters that have been promulgated "work in water restrictions" during fish spawning time frames, all exposed soil areas that are within 200 feet of the water's edge, and drain to these waters must complete stabilization within 24-hours during the time period. MN DNR permits are not valid for work in waters that are designated as infested waters unless accompanied by an Infested Waters Permit or written notification has been obtained from MN DNR stating that such permit is not required. There is no exception for pre-existing permits. If a MN DNR Permit has been issued for the project and the water is later designated as infested, the Contractor shall halt all work covered by the MN DNR Permit until an Infested Waters Permit is obtained or that written notification is obtained stating that such permit is not required.

FINAL STABILIZATION

Final Stabilization is not complete until all the following requirements have been met:

- Substantial Completion has been reached and no ground disturbing activities are anticipated.
- Permanent cover has been installed with an established minimum uniform perennial vegetation density of 70 percent of its expected final growth. Vegetation is not required in areas where no vegetation is proposed by this project such as impervious surfaces or the base of a sand filter.

- Accumulated sediment has been removed from all permanent stormwater treatment systems as necessary to ensure the system is operating as designed.
- All sediment has been removed from conveyance systems
- All temporary synthetic erosion prevention and sediment control BMPs have been removed. BMPs designated on the SWPPP to remain to decompose on-site may remain.
- For residential construction only, permit coverage terminates on individual lots if the structures are finished and temporary erosion prevention and downgradient perimeter control is complete, the residence sells to the homeowner, and the permittee distributes the MPCA's "Homeowner Fact Sheet" to the homeowner.
- For agricultural land only (e.g., pipelines across cropland), the disturbed land must be returned to its preconstruction agricultural use prior to submitting the NOT.

SITE STABILIZATION COMPLETION:

Stabilization of exposed soils shall begin immediately and shall be completed after the construction activity has temporarily or permanently ceased no later than:	14 calendar days
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SITE INSPECTION INTERVAL:


A trained person shall routinely inspect the entire construction site during active construction at an interval of no less than:	7 calendar days
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SPECIAL ENVIRONMENTAL CONSIDERATIONS AND PERMITS:

1)	Was an environmental review required for this project or any part of a common plan of development or sale that includes all or any portion of this project?	NO
2)	Does any portion of the site have the potential to affect threatened or endangered species or their critical habitat?	NO
3)	Does any portion of this site discharge to a Calcareous fen.	NO
4)	Will any portion of the site potentially affect properties listed on the National Register of Historic Places or a known or discovered archeological site?	NO
5)	Have any Karst features have been identified in the project vicinity?	NO
6)	Is compliance with temporary or permanent stormwater management design requirements infeasible for this project?	NO
7)	Has the MN DNR promulgated "work in water restrictions" for any Public Water this site discharges to during fish spawning?	NO

TYPE OF PERMIT	PERMITTING AGENCY	PERMIT STATUS AND CONDITIONS
Construction Stormwater NPDES	MPCA	TO BE OBTAINED BY OWNER

SWPPP DESIGNER TRAINING DOCUMENTATION:

UNIVERSITY OF MINNESOTA
Lanol Leichthy

Design of Construction SWPPP (May 31 2020)

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.	
Lanol Leichthy	
LIC. NO. 20846	DATE 01/27/2020

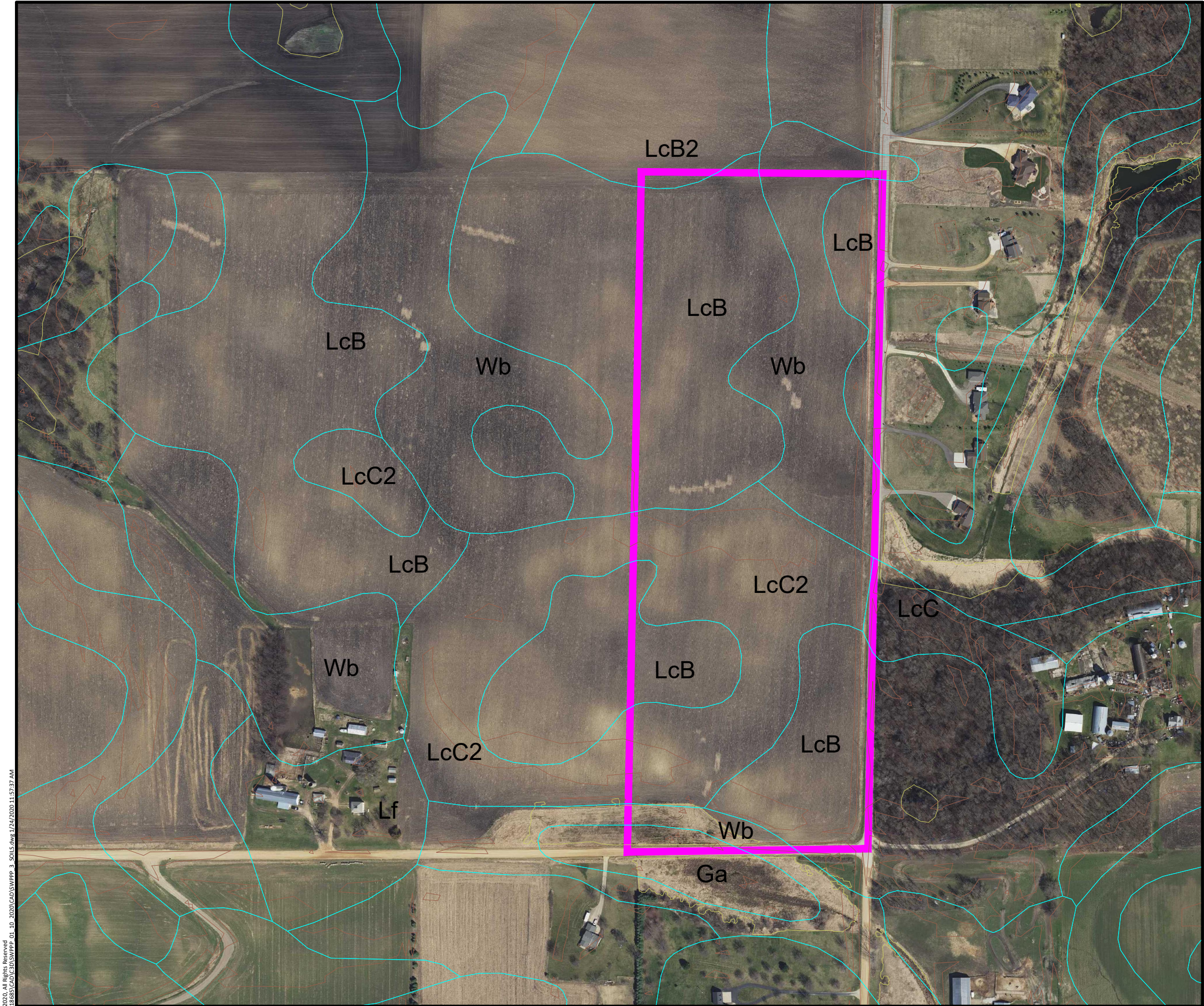


BOLTON & MENK

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DESIGNED	NO.	ISSUED FOR	DATE
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CLIENT PROJ. NO.			
M33.118685			

SHIMOTA ACRES	SHEET 6 OF 7
11 LOT SUBDIVISION	
SWPPP NARRATIVE	



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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Lanor Leichthy
Lanor Leichthy
LIC. NO. 20846 DATE 01/27/2020



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& MENK**

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DESIGNED	NO.	ISSUED FOR	DATE
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CLIENT PROJ. NO.			
M33.118685			

LEGEND

- PROJECT BOUNDARY
- SOIL TYPE
- IMPAIRED, SPECIAL OR PROTECTED WATERS
- NATIONAL WETLANDS INVENTORY
- DWSMA, LOW VULNERABILITY
- STEEP SLOPES (>33.3%)
- RECEIVING WATERS



SOIL TYPE SUMMARY

Map Unit Symbol	Soil Name	Hyd. Soil Group	Erodibility
MUSYM	MUNAME	HYDGRP	MUHELCL
Ga	Glencoe silty clay loam	B/D	NHEL
LcB	Lester loam, 2 to 6 percent slopes	B	NHEL
LcB2	Lester loam, 2 to 6 percent slopes, moderately eroded	B	NHEL
LcC	Lester loam, 6 to 12 percent slopes	B	PHEL
LcC2	Lester loam, 6 to 12 percent slopes, moderately eroded	B	PHEL
Lf	Le Sueur-Lester complex	B/D	NHEL
Wb	Webster-Glencoe silty clay loams	B/D	NHEL

NHEL - Not Highly Erodible Land
PHEL - Potentially Highly Erodible Land
HEL - Highly Erodible Land

LOCATION OF SWPPP REQUIREMENTS IN PROJECT PLAN

DESCRIPTION	SHEET NO.
SITE MAP	5
DIRECTION OF FLOW	1-2
FINAL STABILIZATION	1-2
SOILS	7
EROSION & SEDIMENT CONTROL DETAILS	4
TURF ESTABLISHMENT TABULATION	5
NARRATIVE & NOTES	5-6

SHIMOTA ACRES
11 LOT SUBDIVISION
SOILS INFORMATION

SHEET
7
OF
7



SCOTT COUNTY
Environmental Services

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8177 • Fax (952) 496-8496 • Web www.scottcountymn.gov

Memo

Date: April 23, 2020
To: Greg Wagner, Zoning Department
From: Jesse Krzenski, Environmental Services
Subject: PL2020-0006 Shimota Acres

The Scott County Environmental Services Department has completed a review of the septic system locations and soil boring information for the project located at PID# 39250010 in Cedar Lake Township. The septic system information and soil information provided (dated 12/15/2019) appears to be in conformance with the Scott County Subsurface Sewage Treatment System Ordinance #4 and Minn. Rules Chapter 7080.

Please Note:

- All septic sites (alternate and primary) must be clearly marked and fenced prior to any grading activity on this lot.

If you have any questions, please contact me at (952) 496-8361